1935

Department of Revenue

OFFICE Board Office

STATION Madras

Mis No. 1938

Dated 13-7-35

in the file G.O. 132 Rev 28

(SUBJECT.)

Lost - Glass hot water [illegible]

Hospet Tk - Basavanna & [illegible]

Channesa and Ram - Lakshman

[illegible] Cos - Old rate - heavy

IN THE HIGH COURT OF JUDICATURE AT MADRAS

B. Subbannacharlu Secretary of Ryots Association. - Petitioners.

K. Vasudeva Rao.

We in the above petition do hereby appoint and re-
ain Mr. T. N. Ramachandra Rao, M.A., B.L., Advocate
f the High Court to appear for us in the above petition
nd to conduct and prosecute (or defend) the same and
ll proceedings that may be taken in respect of any
pplication connected with the same or any decree or
rder passed therein including all applications for
eturn of documents or the receipt of any moneys that
ay be payable to us in the said petition and also in
ppeals under section 15 of the Letters Patent and in
applications for leave to appeal to His Majesty' in
Council and in all applications for review of judgment..

(Sd.) B. Subbannacharlu.

(Sd.) K. Vasudeva Rao.

I certify that the contents of this vakalat were read out and explained in my presence to the executant who appeared perfectly to understand the same and made their signatures in my presence.

Executed before me this 17th day of May 1937.

Rao Sahib P.V. Rangaswami Ayyangar,
Retired Salt Asst. Commissioner
Triplicane, 17th May 1937.

Accepted

T.N. Ramachandra Rao,
17-5-37
Advocate for petitioner.

The address for service of the said Advocate Mr. T.N. Ramachandra Rao is at No. 41, Singarachari Street Triplicane, Madras.

Assessment - Charge for water -

(Bellary) - Hospet taluk - Basavannah

and Raya channels - Revised rates - Kamalapuram taluk

Introduction - Objection.

Petition from
Kamalapuram, Malpanagudi,
Kadiramapuram dated 17-5-37.

DESPATCHED
17 MAY 1937

Refce. H. 843-37-1 dated 17.5.37

Forwarded to the Collr. of Bellary for very early remarks with special reference to the stay of collection of penalties and the revi rates.

To the Collr. of Bellary with a petn. in orgl. to be returned.

Board of Revenue
2 JUN 1937
MADRAS

GOVERNMENT OF MADRAS

Revenue Department.

SECT.
2 JUN 1937

Memorandum No. 2020 F/37-1 dated 31st May 1937.

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna channel, Raja channel and Kamalapuram tank - Levy of water-cess.

From the ryots of the Hospet taluk, telegrams dated the 13th and 14th May 1937.

Copies of the telegrams received from certain rvots of the Hospet taluk, Bellary district on the subject mentioned above are forwarded to the Board of Revenue for remarks. Certain petitions and resolutions an the subject copies of which are stated to have been sent to the Board have also been received.

2. In G.O. No. 2592 Revenue dated 13th December 1934, the Government issued rules for the levy of water-cess for the irrigation of crops in the Hospet taluk of the Bellary district with water from the Basavanna channel (including the extension channel), the Raja channel and the Kamalapuram tank. Under rule III of these rules only concessional rates of water-cess will be levied during the initial years of irrigation. In G.O. No. 1176 Revenue, dated 28th May 1936, the Government agreed with the Collector of Bellary and the Board of Revenue that it was premature to consider at present whether any reduction was necessary in the maximum rates of water-cess for irrigation from these channels. The Board is also requested to have the concessions referred to above explained to the ryots concerned.

T.M.S. Mani,
Under Secretary to Govt.

To the Board of Revenue (Land Revenue & Settlement) with encl.

Forwarded
//By Order//

Superintendent.

SRM.31.5.37.

Copy of telegram from the ryots of Kamalapur and Malpangudi, Hospet Taluk, dated 13th May 1937.

"G.O. 2592 dated 13-12-1934 SUDDENLY ENFORCED MAHAGARS ESOLUTIONS SUBMITTED ENHANCED WATER RATES HIGHLY EXHORBITANT ND KILLING PRAY STAY COLLECTIONS."

opy of telegram from the ryots of Srotriam Singanathana-halli Gudioblapuram Kalaghatta Amaravathi and Chitta-wadigi dated 14th may 1937.

"GOVERNMENT ORDER 2592 DATED 13 DECEMBER 34 SUDDENLY NFORCED MAHARAJAS RESOLUTIONS SUBMITTED ENHANCED WATER RATES IGHLY EXHORBITANT AND KILLING PRAY STAY COLLECTION PENDING ENQUIRY SROTRIAM SINGANATHANAHALLI GUDIOBLAPURAM KALAGHATTA AMARAVATHI AND CHITTAWADIGI RYOTS."

Copy of telegram from the ryots of Srotriam Singanathana-halli Gudioblapuram Kalaghatia Amaravathi and Chittawadigi, Hospet taluk, dated 14th May 1937.

"GOVERNMENT ORDER 2592 DATED 13 DECEMBER 34 SUDDENLY ENFORCED MAHAJARS RESOLUTIONS SUBMITTED ENHANCED WATER RATES HIGHLY EXHORBITANT AND KILLING PRAY STAY COLLECTION PENDING ENQUIRY SROTRIAM SINGANATHANAHALLI GUDIOBLAPURAM KALAGHATIA AMARAVATHI AND CHITTAWADIGI RYOTS".

C.F. 32.

, please quote number, date and short title.*

Revenue DEPARTMENT.

Received ..... *Registered* 11003

From (Name) A.G.Blake Esq., I.C.S.,

(Designation) Collector

POST BOX ....., (STATION) Bellary.

Telegraphic Address .....

BOARD OF REVENUE
4-JUN 1937
MADRAS

To

The Secretary to the Board of Revenue,

Madras

R.O.C.*No.* 1315/37A2 *dated* 3rd June 19[illegible]

Sir,

* Assessment. Charge for water- Bellary District- Hospet Taluk- Basavanna and Raya channels and Kamalapuram tank- Revised rate of water cess- Introduction- objection petitions- Report submitted

ENCLOSURES.....

one

.....

SPARE COPIES.....1.....

197

Ref. Board's Ref. H. 843-37-1 dated 17th May 1935.

The Government in their Order 2567 I dated 25th November 1933 have ordered that all the works connected with the Basavanna extension Channel should be completed at the earliest possible date, if possible before the commencement of the cultivation season of Fasli 1343. The Executive Engineer Bellary reported that all the works were completed and that the extension of channel came into beneficial use from June 1936; and said that the revised rates of water cess should be given effect to from Fasli 1346. Instructions were accordingly issued to the Tahsildar Hospet to give effect to the revised rates of water cess.

2. The draft rules were published in the Fort St. George Gazette in August 1934, in English and in Vernacular in the District Gazette for September and October 1934. As no objections were received, the draft rules were confirmed in December 1934. Before publishing the draft rules, Statements were recorded from most of the ayacutdars to ascertain whether they would pay the proposed water cess of Rs. 11/- per acre. Though they did not give their consent to the rate proposed to be levied they were made aware of the fact that the Government contemplated enhancing the water cess soon after the works were completed if not in one same year. The Government considered the diffi-

ifficulties of the ryots and also the poor nature of the oil in parts of the proposed ayacut and fixed the water cess t Rs. 10/- per acre instead of at Rs. 11/- as contemplated riginally. This rate was fixed to make the scheme remunerat

The rates of wet assessment under the three sources re etween Rs. 10-0-0 and Rs. 13-0-0 and the water cess of Rs. 10/- ow fixed is not excessive. Even at this rate of Rs. 10/- per cre the return on the capital outlay is only 3.31 % and not ½% as was expected when the scheme was sanctioned. The flat ate of Rs. 10/- adopted by the Government is much less than the ingle crop wet assessment prevailing in the locality and the yots are not justified in asking for more priveleges.

3. The second plea is that the standing permits were issued rom Fasli 1347 whereas the enhanced water cess has been levied rom the current fasli 1346. The standing permits are only different forms of permits, with the same conditions and restriction as under the old annual permit system.

The Executive Engineer/who was consulted in the matter says that the Government are justified in levying the enhanced rate of water cess in the fasli 1346, as all the sources have come int beneficial use from this fasli.

4. I considered the representations of the ryots at Jamabandi and informed them that I was unable to stay collection. Their petition may be rejected unless there is a likelihood of these rates coming under re-examination by the Marjoribanks Committee.

The petition received with the Board's reference is returned herewith.

15 JUN 1937

MADRAS

H1081

Revenue Department.

Endorsement No. 2020 F/37-1 dated 14th June 1937.

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna Channel, Rayal Channel and Kamalapuram tank - Levy of water-cess - Notice of suit.

From M.R.Ry. R. Subhapathy Rao Avargal, dated 5th June 1937.

Forwarded to the Board of Revenue for remarks in continuation of Government Memorandum No. 2020 F/37-1 dated 31st May 1937.

T.M.S. Mani,
Under Secretary to Govt.

To the Board of Revenue (Land Revenue & Settlement) (with a notice of suit in original).

F o r w a r d e d
/By Order/

SRM.14.6.37.

From

R. Sabhapathi Rao, B.A., B.L.,

Advocate, Bellary.

To

(1) The Secretary to Local Governmer
(Land Revenue and Irrigation)
The Secretariat, Ootacamund.

(2) The Collector of Bellary district,
The Collectorate, Bellary.

Notice under S.80 of the Civil Pro. Code (Act V of 1908)

Sir,

I am instructed by my client Mr. R.V. Lakshmikantarao of "Jayanilayam" Goldsmith Street, Bellary, to issue the following notice of suit under S. 80 C.P.C.

(1) Particulars of plaintiff:-

(a) Name- Mr. R.V. Lakshmikantha Rao, in his capacity as the registered pattadar of inam kulam No.10 for S.No. 80-B of Gudi Obalapuram village, Hospet taluk and or representative, along with such others as may join, of the landholders whose lands are registered as dry, but have been cultivated with wet crops from time immemorial with the water from "Raya Kalva" and who have been assessed to water cess of Rs.10 or 15 per acre for fasli 1346 (the representative suit being filed under O.I.R. 8 C.P.C.).

(b) Description and residence :-

Son of R. Venkatanarasiah aged 54 years, Brahmin, landlord and merchant residing at "Jayanilayam" Door No.18, Goldsmith St. Bellary.

(2) Cause of action.

Lands classed as dry in several villages in Hospet taluk (e.g.) Gudi Obalapuram, Danapur, Nagenahalli Belagod, ~~Kalahae~~ Kalagatti, Malapanagudi, Muddalapura, Chitvadgi, Amaravati, Hoskote, Hosur etc.) from time immemorial at least for more than 60 years, were being irri-

irrigated with water ~~fxx~~ from "Raya Kalva". Theformality of applying for permission to use the water from that source was being gone through year after year for each of those lands, and the Sub Divisional Officer, P.W.D. Hospet used to grant such permission invariably. Whenever this formality was missed through oversight or otherwise, a heavy penalty was levied. Several landholders applied that their lands be classed as wet instead of undergoing this ~~face~~ farce every year, and statements were made to that effect before the Settlement Officer in the last Settlement. The latter also recommended the measure; and for some reason unknown, the recommendation has not been given effect to. All these facts apply to almost all "dry" lands irrigated under the "Raya Kalva" in general; and to plaintiffs own land S.No. 80 B of Gudi Obalapuram in particular. The water in the "Raya kalva" was always quite sufficient to irrigate the "dry" lands under it.

(2) With a view to store more water in Kamalapuram tank and irrigate a lrge dry area, to which no water was available, a new irrigation channel was projected by the Government about 8 or 9 years ago. The work is not yet complete because:-

(i) The silting for 7 miles and 5 furlongs from the Vanka which flows into Kamalapuram tank is not yet excavated.

(ii) The blasting of rock in channel bed for a distance of about 1 mile 2 furlongs has not yet been done.

(iii) The channel has not yet been widened. It remained till the harvesting of last crop at 18 feet or so in width and it is only recently (within the last 3 or 4 months) that only 4miles from the anicut has been widened.

(iv) Feeding channels have yet to be provided.

For fasli 1346, annual permits were applied for as usual before 31-1-1936 and granted in due course. The water rate was Rs.4/- for single crop and 6/ for dufassal crop. This was the demand and was mostly collected while crops were on the land. Long after the harvest and during

jamabandi

jamabandi, the village officers were made to rectify the D.C.B. registers charging irrigation cess for these lands at Rs.10 and 15 for single and dufassal crpps respectively for fasli 1346. Coercive steps were adopted to recover arrears arising from such enhanced demand. The plaintiff (through Mr. Narasayya

Sastry) has deposited under protest the amount of Rs.132-4-0 so demanded in the Sub-treasury at Hospet, and obtained the Chalan receipt No. 444 dated 15-5-1937. Some other landhold have similarly paid or are paying. In other cases,attach - ments under Revenue Recovery Act have been effected and are pending Sales.

The levy of enhanced rate is ultra vires, invalid,and premature for the following reasons, among others:

(a) The Basavanna Channel, being incapable of standin the strain of increased volume of water, resulting from - raised Anicut height and from opening two more vents, the diversion of its waters into Raya Kalva was a measure to relieve this strain. The Raya Kalva was being merely used as a medium to conduct more storage water to the Kamala - puram Tank; and the lands cultivated under the former are not benefited in any manner. As a matter of fact, there was a breach ~~of~~ in the Basavanna Channel which resulted in a number of houses in Hospect being washed away; and there was another at Mukerti Odai. The diversion of water from Basavanna Channel into the Raya Kalva was only an additonal burden on the latter; and the benefits only the Kamalapuram Tank irrigated area, and the lands between the two channels. The levy of the Cess on lands under the Raya Kalva is not justifiable.

(b) There has been no alteration of the source of irrigation; no alteration was necessary; the water under the old source, the Raya Kalva, has beem always sufficient. As such no irrigation cess could be levied.

(c) As the irrigation works undertaken by Government wa was intended to induce dry land owners to take water from the new source for which a greatly reduced rate is offered; the heavy taxation on these, who without such inducement, have for a long time irrigating their lands,is arbitrary, unjust and unwarranted. If this policy be persisted in,

those

those that are irrigating now, will in future prefer raising mere dry crops and refuse to take any water from that source.

(d) As the Basavanna Channel work is not yet completed, no cess could be levied for the year previous to it. Any representation that might have been made that the work is completed is falsified by actual condition of the channel bed and the bills that are - stilll being drawn and paid for blasting,widening, silt-removing and other works. Any number of mahazars inviting the authoritiee personally to investigate this has not had any effect - nor even a reply.

(e) While granting the permission for fasli 1346 no notice was given as to enhanced cess rates that would be charged. If that was notified in time, no wet crop - would have ever been raised on most of the lands. After the crops have been harvested, this levy, far in excess of any wet rate on neighbouring wet lands. is unjusti - fied and untenable.

(f) The action of the Government intnot complying with the recommendations of the Settlement authorities and converting the lands irrigated from time immemorial under Raya Kalva and charging the maximum rate for wet lands in the surrounding area but in continuing to keep them dry, and issue standing permits, discloses an attitude highly detrimental to the ryot, securing to Government revenue which it would not get if normal and just procedure of converting the lands to wet is adopted.

(g) The lands are poor in quality, undulating in surface and rocky in soil; and the yield is very little. When such is the case to charge rates now levied, which are un - heard of except in the Delta areas, is arbitrary and against all principles of taxation.

DRAFT FOR APPROVAL

Initia...

When received for fair copying

When copied 17/6

When examined

When signed

When despatched. 17 JUN 1937

Ass... charge for water Billing) Hospet Tte - Basavanna and Raya Club & Kamalapuram Taluk - Enhanced rate of water cess - Objection

READ AGAIN ... dated ... 19...

" " 19...

READ AL...

No. ... from the Collector, Bellary, No. Misc 1315, dated 3-6-1937. Q. & R.

" " 19...

" " 19...

~~Order~~ ~~Ms.~~ Resolution Rout. No. Page ; ~~dated~~ 484/131-1 dt. 17-6-1937.

report is due to the fact the collr is requested to report in detail on the correctness or otherwise of the allegations made by the petrs.

2. In the Collr's letter Ref. compl. No A 2 p 11 of (B) dt 22.4.36 in reply to the Govt's Ref. H 3291-35-I dt 7.11.35 it was stated p 3 of (B) that standing permits could be issued for dry lands only from 1937 after the Nuksanni Odai aqueduct was constructed for supplementing the supply in the Ponja-chal. In his letter dated 15.11.36 p 3 of (T) the collr reported that the aqueduct over the Nuksanni Odai had been completed. It is not known when exactly this work was completed and if it was completed in the course of the year 36-37 it is not clear how the introduction of the new rates with f. 1936 was justified. The collr is requested to report fully on this point.

~~Apart from the completion of the works~~ the question

3. The attention of the collr is invited to para 4 of Govt No 2222 Rev dt 21-10-36 pp 2-3 of (T) announcing land revenue concessions for fasli 1346. In the case of the Cudavasal and the Kodavasal taluks

under the Act of concessional rate
are been sanctioned. The Collr is
guided to state whether the
considers that there is a case for
of the rate for the year 1936-37
reduction in the present case and
if he considers that there is a case,
so the rate he will propose and
financial effect of adopting
at rate (the amount that will
ave to be refunded to the parties
uld be reported ——————
——————— The Collr is requested
——————— that this may be as urgent.

4. RELIEF - That unless the levy of the cess on the dry land irrigated under the Raya Kalava be cancelled and the rate reduced and that for surrounding wet lands assessed refunding collections at the new rate and raising attach - ments effected, a suit for the following main reliefs with such modifications or additions as the circumstances may demand or the plaintiff be advised, will be filed at the sole risk and expense of the Secretary of State for India:-

For a declaration that the lands Clause as dry and irrigated from the Raya Kalava, from before the Bhasavanna Channel was in contemplation, are not liable to be assessed to an irrigation cess for anything more than the neighbouring wet lands, on the grounds set forth above; and for an injunction restraining the Secretary of State for India from levying more than such rate, with the consequential relief for re- funding the cess already collected and raising of attach - ments and other coercive steps as might have been already taken, together with costs and such other reliefs as the - Court may deem fit to grant.

Sd.
--- A d v o c a t e,

Dated 5th June 1937. Bellary.

M/2491.

Grievances of Land Holders in Hospet Taluk.

The scheme for improving and extending the Basavanna Channel (Bellary District) is now about completed. It provides water for irrigating new lands under the extension channel and also for supplementing the supply in the Raya Channel. Surplus water from this new Extension Channel flows into the Kamalapur Tank which was hitherto supplied direct by the Raya Channel.

Under the Raya and Basavanna Channels and Kamalapur Tank there are considerable areas of dry lands in the various villages which are allowed irrigation by annual permits issued by the Executive Engineers and both single and dupasal crops viz, paddy and sugar-cane, grown on them.

These dry lands pay water cess at the rate of Rs.4/- per acre for single crop paddy and Rs.6/- for sugar-cane.

As a result of the extension and improvement of Basavanna Channel, the Government have increased the rate for a single crop paddy to Rs10/- and for sugar-cane to Rs.15/- per acre. These new rates are now being collected for the paddy crop harvested in December 1936 and the sugar-cane crop harvested in February and March. The usual dry-crop rates used collected in the months of January, February and March as usual. For some reason or other the authorities did not collect the enhanced rate then but have started collection now.

The reasons for the high increase in the rates may be inferred from the draft notification published in the Fort St. George Gazette of 14th August 1934. The Government expects a high return on its investment for improving and extending the channel. In 1924 they calculated that they would get a return of 6.45% on their investment of 4.24 lakhs by a levy of Rs.8/- per acre as water cess. In 1928 the investment went up to 5.93 lakhs and therefore, a similar return would be possible, they calculated, if the rate was fixed at Rs.11/- per acre. They however realised very soon that "the soil

soil in the area is poor, and the country undulating, and in places rocky" and therefore, they proposed to levy Rs.10/- per acre.

These rates are to be levied on new lands hitherto irrigated by special permits. On new lands, it is proposed to collect only ¼ of these rates for the first two years of irrigation, ½ in the third year and ¾ in the fourth year. But, for dry lands irrigated wet, even that concession is denied.

In proposing to levy the above rates the Government do not ~~xxxxxxxxxx~~ seem to have fully appreciated the nature and condition of dry lands. They are mostly marginal lands capable of yielding decent return only in seasons of favourable conditions and high prices. They are usually, below the average lands in fertility. But for these defects great majority of them would have been ranked to be classified as "wet". They are usually owned by that Class of ryots who are too poor to own better lands. They have sent petition and mahazars against this increase. They state rightly that the rates are very high and quite unmoderate. They are higher than the rates for the neighbouring "wet" lands which are in every respect superior to these dry lands.

~~The jaggery prices this year are the lowest that the market has known during the last thirty years and the sugar-cane grower is in the throes of the most severe economic depression of recent years Realising this evidently the Government have remitted up to 3 Annas in the Rupee in the land Revenue from "wet" lands. This being the case it seems very reasonable that the Government should have thought fit to impose enhanced rates on poor dry lands.~~

The jaggery prices this year are the lowest that the market has known during the last thirty years and the sugar-cane grower is in the throes of the most severe economic depression of recent years Realising this evidently the Government have remitted up to 3 Annas in the Rupee in the land Revenue from "wet" lands. This being the case it seems very reasonable that the Government should have thought fit to impose enhanced rates on poor dry lands.

These are days of cheap money and Government could get loans if they need at 2½ to 3%. Why then should they expect a return of 6½ or thereabouts on their investment for improving an old channel?

The ryots have been taken unawares by these increases. Adequate measures have not been taken by Government to inform the ryots

yots beforehand that the rates on dry lands would be increased. xcept for the notifications published in the District Gazette, no ther publicity was made in the village sheet; nor were the increas tes made known to the ryots in the affected villages by beat of om-tom. After all only about half a dozen villages in this taluk re covered and it should have been easy enough for the concerned uthorities to have called a conference of the ryots of these villa nd discussed the matter with them at the time of the draft notific ion published in August 1934 ~~for~~ after that.

In fact no mention of this increased levy was made at a eeting held to consider the rates on new lands under the Basavanna hannel.

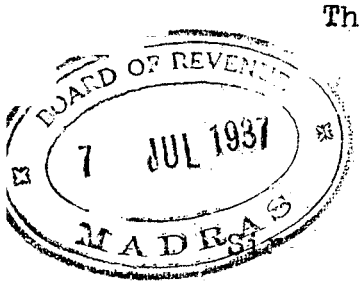
The demand for the crop raised in 1936-1937 comes most nexpectedly to everybody because, the procedure indicated in the azette Notification was not completely followed by the authorities ven. ; Rule VI of the Notification contemplates issue of standing ermits by the Executive Engineer, which, unlike the annually-re-ewed permits hitherto in vogue, would remain in force until cancell y the issuing authority. These standing permits were issued for he first time in December 1936 for crops of the season of 1937-38.

The affected ryots have approached the local authorities ith the request to lower these excess rates, or at least to kee hem in abeyance: but the authorities, while sympathasing with the yots, seem unable to do anything in the matter. Mr. A.G.Blake I.C the Collector of Bellary was waited upon by a deputation of the pro

After giving a very sympathetic hearing, he has promised to enquire into the question and write to the Government. In the meanwhile village Officers have been busy collecting the excess dues and have in may cases distrained the properties of the ryots These collections were evidently not thought of during the land revenue collection months of January, February and March - they seem to be an afterthought as they are being collected now

The grounds on which the ryots ask for lowering these exc[illegible]es[illegible] rates are that the rates are gh highdr than the existing ones on w[illegible] lands and that the Government should not attempt to get a return nearabout 6¼% on their investment when money is available at about 3%. The Extension Scheme of the Basavanna Channel was taken up as a measure to give relief to the District as a whole; for, during the lean and famine years labourers from all over the district flocked to these areas for work, and many of them have settled down to the [illegible] cultivation of the marginal dry lands which were not usually cultivated by the local ryots. This scheme of extension of the channel was carried out during years of low rain fall and was therefore, a direct RELIEF measure in those years. Such being the case it is quite reasonable to treat this scheme as a RELIEF work and not as a REMUNARATIVE enterprise.

Since the number of people affected is large and the measure adopted to effect collection severe and coercive causing acute distress to the people, it would be worthwhile for a responsible Officer of the Government to visit the area immediately and settle the matter sympathetically.



The Commissioner of

Land Revenue and Settlement,

Board of Revenue, M a d r a s.

Sub:- Irrigation-Bellary District - Hospet Taluk -- Basavanna Extension channel-rates as per G.O.1452 Re further representation.

In continuation of the petition dated 17-5-'37, submitted through a pleader at Madras, we beg to bring to you kind notice the following facts:-

2. The Basavanna extension channel was closed on 1-1-'3 and water let into it only on 1-7-1937 after a lapse of 6 months, while the annual repairs to the sister channels the taluk were similarly commenced on 1-1-'37, completed a water let in in March 1937. The cause for letting water in the Basavanna extension channel after a delay of three mor in excess of the other channels requires your kind sympath investigation, consideration and orders.

3. During the period from 1-1-'37 to 30-6-'37 the Basava channel was widened from ~~1~~ 18 to 21 feet at 1 to 4 miles asting of rock for 6 furlongs (height 2 feet) was done ne aravathi village (13th miles). Further deepening by 5' n s done from 17th mile to 17 miles 6 furlongs. These canno lassed ~~xxxxxx~~/as annual repairs. They are only the items left le as per original estimate. The work done during this iod was checkmeasured and the final payment of the orig imate of Rs.5,93000/-was made only at the end of June 19 l water allowed in the channel from 1-7-'37.

The letting of the water so late as 1-7-'37 has cause h inconvenience to the ryots for 1347 fasli also, for sing manure crops on old lands. There is also no time to laim and bring under cultivation fresh lands. When so n onvenience is felt for the crops of Fasli 1347 it goes

without saying that there was no regular supply in Fasli 1346.

5. It might be said that the work as per original estimate - was completed by the end of Fasli 1345.If this had been a fact and as ~~xxxx~~ stated in the above ~~xx~~ G.O. water from the Basavanna channel should have been left into Raya channel below the --- "Mukarthi Vade" and there should have been sufficient supply at the tail end. In fact no water was allowed to the Raya channel and ~~there~~ was not adequate supply at the tail end. The gauge -- readings of the Public Works Department at the head, below the - "Mukarthi Vade", in the Raya channel at the place where water - from Basavanna channel falls in, and at the tail end of the extension channel may be verified. They clearly prove that there was no regul r supply, for the apparent reason that the work -- as per original estimate was completed by the end of only June'3[illegible] In view of these facts we submit that the levy of rates as per - above G.O. is not justifiable for Fasli 1346.

6. As regards the introduction of rates as per G.O. the --- difficulties are many in the way of the poor ryots to pay at -- those rates as explained below:-

(a) In respect of the supply of sugracane to the sugar factory at Hospet a representation was made to the Development Minister to fix a reasonable rate.The Agricultural Department consulted - at that time agreed with an estimate that the average yield -- (the average of bumper,normal & the lowest) will be 160 maunds - (16 Herus), the cost of which would be much less than the actual cost of cultivation. The Agricultural Department ~~xx~~ may be consulted again if necessary.

(b) Recently,the marjoribank committee has recommended the reduction of water rate from Rs.6-0-0. to Rs.5-0-0 in Godavari District, which contains fertile and deltaic lands. There is no -- comparison at all of the soil of the lands of that District with that of the baren ~~material~~ nature of the soil of Bellary District. The soil here is far inferior and to boot at many places it is also rocky.This fact the Government have admitted.

DRAFT FOR APPROVAL

	Date.	Initials
When received for fair copying		
When copied	6/7	
When examined		
When signed	6	
When despatched.	DESPATCHED 12 JUL 1937	

Asst. Charge for water - C Bellary
Hospet-IK - Basavannah Channel,
Raya Channel and Kamalapur
Canal Zero [illegible]

READ AGAIN—, dated

" " —

READ *ALSO*:

No. Pethan From the ryots of Kamalapuram, No. nil, dated 6-7-1937 re 31-35 of Halpanagudi & Kadiramapuram.

" " " " " 19.

" Ref. " " " " 19.

Order / Resolution Rs. No H 843/, dated 10-7-1937

Rd 4.8.37. W 5.8.37.

Rd 25.8.37

Rd 11.9.37 W 13.9.37.

Referred to the colls of Bel
for remarks in continuation
of the BD's Ref. H 843/37-4 d 28.6

294

Revenue DEPARTMENT.

In reply, please quote number, date and short title.*

Received ..... *Registered* .....

From (Name) A.G.Blake Esq.. I.C.S..

(Designation) Collector,

Post Box ....., (Station) Bellary

Telegraphic Address .....

BOARD OF REVENUE
4 - AUG 1937
MADRAS

To

The Secretary to the Board of Revenue,

Madras.

D.Disc.No. 2359/37, *dated* 2-8-1937.

Sir,

Enclosures .....

1 35 ef

Spare Copies .....

Mis 95.96 ef

Suit- Levy of enhanced water-cess- Hospet taluk- Gudiobalapuram village- Raya channel- suit notice- reply submitted

Ref:- Board's Ref.No.H. 843/37-3 dated 21st June 1937.

I enclose a copy of the Executive Engineer's letter, No. 144 C dated 24th June 1937 which meets all the allegations made in the suit notice. The threatened suit is not sustainable, as the channels were improved and water was supplied in 1936 itself. As the Basavanna channel extension scheme came into beneficient use in the last year, there was every justification for levying enhanced water cess prescribed in G.O.No. 1452 Revenue, dated 25th July 1934 and confirmed in G.O.No. [illegible] Revenue, dated 13th December 1934. There is no point in arguing that further improvements were executed to the channel during the current year. The ryots having used water and raised a successful crop cannot escape the taxes duly levied.

M 101-104 of (D)

To a similar notice received by me I have informed the party through his vakil that his threatened suit is awaited. I request that the orders passed on this notice may be communicated to me. The suit notice received with the Board's reference under reply is resubmitted.

Copy of letter No. 1440 dated 24th June 1937 from the Executive Engineer, Bellary Division. Bellary.

Suit- levy of enhanced water cess- dry lands- Basavanna and Raya channels and Kamalapuram tank.

The estimate for improvements to the Basavanna channel aims at (a) giving supplemental supply to the Rava channel in which the supply owing to the infall of a big drainage course at 1 mile 4 furlongs is sometimes cut off during the irrigation season: and (b) ensuring a steady supply in the Basavanna channel, the Raya channel, and the Kamalapuram tank-vide (i) appendix A to G.O.No. 1452 dated 25-7-34(Rev.Dept) and (ii) para 6 of the Irrigation Chief Engineer's note accompanying the G.O. sanctioning the estimate.

I do not see any objection hereafter, as conditions are now improved, to the conversion to wet of the dry lands referred to.

(i) The vanka referred to para 2(1) of the notice in which the silt is stated to have not been excavated wet is probably the Basavanna extension channel. If so the channel has been cleared. when ?

(ii) Blasting rock in the channel referred to has been done this year.

(iii) The channel has the required width, and has been much improved this year.

(iv) Not understood

The supply to the Raya channel is to be given at 11/4 of the Basavanna channel through the headsluice constructed for the purpose. Items (i),(ii) and (iv) do not prejudicially affect the supply to the Raya channel, and a reference to these is irrelevent.

The Basavanna channel has come into beneficial use in 1936 Fasli 1346 as the work required above 11/4 miles of that channel was completed. A portion of the ayacut in the

tension channel had also been irrigated wet during the year. Hence vy of the enhanced rate from 1936 does not appear unreasonable.

a) The statement in sub para (a) on page (3) of the notice is olly incorrect. The increased volume of water can easily be controlled regulating the headsluice and operating the various scouring sluices ong the channel. The intention is not obviously to relieve this but give additional supply to the Raya channel The supply for Kamalapura nk is not intended to be made through the Raya channel but through the o trapezoidal notches in 19/6 distributary built specially for this rpose. The lands in the Raya channel are directly benefited by the provements to the Basavanna channel. The breaches referred to were t serious and were made good in record time.

b) Not understood.

c) No remarks.

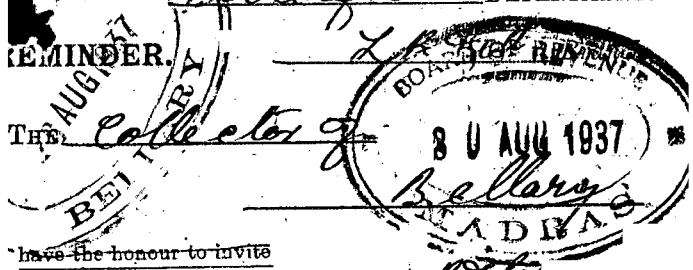
d) As explained above the Basavanna channel has come into beneficial e in 1936 itself. The bills referred to are for works in the tension channel, whereas the headsluice through which supply has to be made to the Raya channel is at 11/4, i.e.. in the old channel. These have therefore no bearing to the supply to the Raya channel.

(e) The notice issued in G.O.No. 1452 dated 25th July 1934(Rev.Dept) appears sufficient for the purpose of the levy of the enhanced rate. Granting of permits has nothing to do with the enhanced rates. The scheme of improvements to the Basavanna channel aims at permanent conversion into wet of the dry lands irrigated under the Basavanna and Raya channels and also in Kamalapuram tank- Vide para 6(3) C.E.I's note accompanying the original estimate. Hence as stated already there seems to be no objection to the conversion to wet of the dry lands referred to.

(g) No

O[illegible] Board of Revenue DEPARTMENT.

REMINDER.



THE Collector of Bellary

~~have the honour to invite~~
am directed to invite attention to Bo's Lr.
~~invite~~

84.3/37-2, dated 17-6-37 and

~~request that the reply to it may be expedited~~ with
request that this reminder may be returned ~~at once~~
information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, ~~and~~

~~(3) the circumstances which have caused the delay.~~

Office Board of Rev

Station Nilgiris

Dated 25.8.37

Signature. T Wedderburn
Superintendent
Designation.

25/8/37

SUBJECT.

Asst: Charge for sales - Bellary -
Sp - Balaramah Chamel-
ary - mal and Kamalapuram
sh : Levy Surcharges - Objection

25.8.

(Reply overleaf)

Mrs (Scott) added on to the file

2. The cover may be removed on 15.9.37 if necessary

1.9.37

1.9.37

C.F. 32.

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

Received ..... *Registered* .....

From (Name) J.W. Pritchard Esq., I.C.S.,

(Designation) Collector,

Post Box ....., (STATION) Bellary.

Telegraphic Address .....

BOARD OF REVENUE
5 OCT 1937
MADRAS

To

The Secretary to the Board of Revenue,

Madra

Ref. A2. *No.* 1515/37 *dated* 1st October 1937.

Sir,

ENCLOSURES

Nil.

SPARE COPIES

Assessment - charge for water - Hospet Taluk - Basavannah and Rayachannels and Kamalapuram tank - Revised rates of water cess - Introduction in Fasli 1346 - objection petition - Report - submitted.

Ref.- Board's No. H. 843/37-2 dated 17th June 1937.

I have consulted the Executive Engineer, Bellary. He says that the allegations of non-completion or partial completion of certain works are not true and affirms that these channels were completed actually in 1935-36. They were again greatly improved in 1936-37 and are carrying more water than is actually required by the ryots. The Mukharthi odai aqueduct was also completed in 1935-36. The allegations made in para 5 of the petition dated 17th May 1937 that the Raya channel was not supplemented with more water is correct. The Executive Engineer considers the introduction of the new rates in Fasli 1346 was thoroughly justified

During the resettlement operations of this district 1916-1924) the ryots, who form the majority of the present petitioners applied for the transfer of the irrigated dry lands to wet and the lands were actually transferred to wet by the Settlement Department. But on the objection of the Public Works Department that the supply of water in the

channels could not be guaranteed all these lands were re-transferred to dry. The P.W.D. have no objection for the transfer of these lands to wet as the conditions are now improved and the supply is assured.

The rates of wet assessment under these sources, except in one or two villages, are between Rs.10-10-0 and Rs.13/- while the water cess levied is only at a flat rate of Rs.10/- per acre. It would be advantageous to Government to transfer all these lands to wet but the policy of the Government has been to retain these lands as dry and charge water cess only when the lands are actually irrigated. This is really advantageous to the ryots but yet they complain that the flat rate of water cess at Rs.10/- per acre is excessive.

The Tahsildar and the Sub Collector recommend that a charge of Rs.7-8-0 for the first crop and Rs.11-4-0 for two crops or a duffasal crop, may be levied in view of the fall in prices, as in the case of lands in Godavary and Kistna deltas and under the Cauvery Mettur Project. I agree with them and recommend that the rates noted above may be adopted for Fasli 1346. If this proposal is accepted a sum of Rs.2634/- will have to be refunded to the ryots.

The petition forwarded by the Board and copies of the Executive Engineer's reports are enclosed.

2-10-37.

For Collector.

JRM/2-10.

Copy of letter No. 205. C., dated 13-9-1937 from the Superintending Engineer in charge of Bellary Division, Bellary to the Collector.

.rrigation - Bellary District - Hospet Taluk - Basavannah Extension channel Rates as per G.O.No. 1452 - Representation by ryots.

Reference - Your No. 1315/37 dated 7th July 1937.

Para 2 of the petition.- The facts are as alleged but the extension channel is for the supply of water to new areas of cultivation and not to any old irrigation, except for a small supply to the Kamalapuram tank. Since this tank contained adequate supply right throughout the season, the said closure could not have affected the old one. Only 80 acres were newly brought under irrigation under the extension channel and there were absolutely no complaints of insufficiency of supply either from the old or from the new areas.

Para 3 of the petition.- The works referred to did not prejudicially affect the supply to the irrigation under the old Basavanna or Raya channels nor was even a single complaint received of inadequacy of supply under them.

Para 4 of the petition.- Supply to existing irrigation was let down as usual and it is only the extension channel in which water was let down on 1-7-1937. The extent of irrigation under this channel was only 80 acres and no complaints were received regarding supply from this area.

Para 5 of the petition.- I have verified the readings referred to. There was absolutely no shortage of supply for the irrigation under the old Basavannah or Raya channels or the Kamalapuram tank.

It is only as regards the area of 80 acres newly brought under irrigation under the Basavannah Extension channel a that I can say there was sufficient supply only for a paddy crop and not for a sugarcane crop.

Board of Revenue DEPARTMENT.

REMINDER. Z R Sett. Branch.

BOARD OF REVENUE
11 AUG 1937

To The Collector of Bellary.

I have the honour to invite
I am directed to invite attention to Rc. H.S.
843/37-2 dated 17-6-37 and
~~request that the reply to it may be expedited~~
~~request that this reminder may be returned at once~~ with
information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, ~~and~~

(3) ~~the circumstances which have caused the delay.~~

ce Board of Rev.
tion Madras
ed 3-8-37

Signature. [illegible]
Supdt.
Designation.

SUBJECT. 3/8/37.

81-. Charge for water - (Bellary) -
at JK - Basavannah Channel,
Channel and Kamalapuram
- Levy of water cess - Objection.

KO
5.8.37

REPLY.

To The Secretary to the Board.
Madras

Resubmitted

2. A report has been
called for from the
Executive Engineer Bellary

Reply will be submitted
on its receipt

Collector

PM
6/8/37

To As (Sett) (corrs reply awaited).
Added on to the file.

2. The cats. may be remided 25.8.37
if necessary. 18/8/37

Copy of letter No. 153 C dated 10-7-1937 from the Executive Engineer, Bellary, to the Collector, Bellary.

Assessment - Charge for water - Basavannah and Roya channels - Enhanced rate for water cess - non-completion of works.

dated 24-6-1937, in which I have dealt with the allegations made by the petitioners regarding non-completion of the works. I have no further remarks to offer except to again stress the point that these channels which have been greatly improved in 1936-37, are now carrying more water than is actually required by the ryots.

2. The Mukarthi Odai Adueduct was completed in 1935-36, since when it has been functioning and certainly justified the introduction of the new rates in Fasli 1346.

3. The ryots concerned have honestly no complaint against the alleged dilateriness on the part of the P.W.D. and I see no reason why they should have made these allegations as an excuse against paying the new rates. As far as possible they have been satisfied in the matter of the issue of standing permits. Their real complaint is therefore not against the incompletion of improvements to the channels but against the enforcement of the revised rates earlier than they expected.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT :— Asst. Charge for water - (Bellar
Hospet Tk - Balaramnah Chann
Raya Channel and Kamalapu
tank - Levy of water cess - Objn

DES. RECEIVED 26 OCT 1937

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

H No. 1839/37 From the Coll of Bellary Rly No. 1315/37, dated 1-10-1937 H 37.6.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution Ms / Rout. Bds Rly H No. 843/37-6, dated 25-10-1937.

E.S. 26/10

H 25-33 of

H 35 of

H 39-42 of

H 43 of

H 39 of

H 27-28 of

unquestionably

In the Board's notice of sus
to the Coll with the Bds's Rly. H
843/37. 3 d 21-6-37 and mi
petition from the land holde
of Hospet Tk d 3-6-37 sent
the Coll with the Bds's Rly. H 843/
28-6-37 it is alleged that t
usual water rate were col
in the months of January, Fe
and March ultimate and i
enhanced water cess was
ordered to be
collected long after harve
and during the Jamabam
The Coll is requested to
whether the allegations are

the said notice and petition of mine
referred to above are herewith
sent for reference and return.

10.37

M. 27

W 37

To the Cath of Bellary with
a said notice and petition of mine
in original to be returned.

Copy of letter No. 153 C dated 10-7-1937 from the Executive Engineer, Bellary, to the Collector, Bellary.

Assessment - Charge for water - Basavannah and Roya channels - Enhanced rate for water cess - non-completion of works.

In this connection. please see this office No.144 C dated 24-6-1937, in which I have dealt with the allegations made by the petitioners regarding non-completion of the works. I have no further remarks to offer except to again stress the point that these channels which have been greatly improved in 1936-37, are now carrying more water than is actually required by the ryots.

2. The Mukarthi Odai Adueduct was completed in 1935-36, since when it has been functioning and certainly justified the introduction of the new rates in Fasli 1346.

3. The ryots concerned have honestly no complaint against the alleged dilateriness on the part of the P.W.D. and I see no reason why they should have made these allegations as an excuse against paying the new rates. As far as possible they have been satisfied in the matter of the issue of standing permits. Their real complaint is therefore not against the incompletion of improvements to the channels but against the enforcement of the revised rates earlier than they expected.

C.F. 32.

In y, please quote ... r, date and short title.*

Revenue DEPARTMENT.

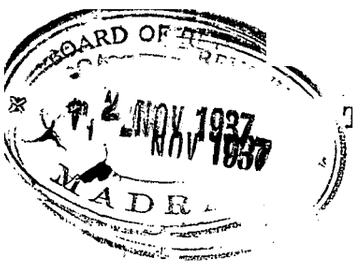
*Received*_____ *Registered* H2178

From (Name) E.C. Wood Esquire I.C.S.,

(Designation) Collector,

OST BOX_____, (STATION) Bellary

*Telegraphic Address*_____



The Secretary to the Board of Revenue,

Madras.

Sir,

Ref. A2. *No.* 1315/37.A2 *dated* 9th Novr. 1937.

ENCLOSURES_____

Nil

Assessment - charge for water - Hospet Taluk - Basavanna and Raya channels and Kamalapuram tank Levy of enhanced water cess - objection - report submitted.

SPARE COPIES_____

Ref.- Board's No. H. 843/37-6, dated 25th Octr.3

To

The Commissioner of,
Land Revenue & Settlement,
Board of Revenue,
M A D R A S.

15 NOV 1937

Honoured Sir,

The humble petiton of the Ryots of Srotriam Singanathanahalli village in Hospet Taluk Bellary District respectfully showeth:---

1. That the petitioners own extensive dry lands irregable by the surplus channel (Kedu-Kalva) of the Rayachannel. These lands have been under wet cultivation for over fifty years and the water rates at Rs.4/- for single crop and Rs.6/- for duffal crop -- were being charged all these years.

2. That a scheme for improving the irrigation -- source in question was launched in 1924. It provided for the several items of the work referred to in G.O. No. 1452 Rev. published in notification No. 207 in -- Fort St. George Gazzette dated. 25-7-34.

3. That according to one notification referred to in proceeding paragraph, it was proposed to levy water cess at the rate of Rs.10/- per acre for the first -- crop and Rs.15/- for duffasal crops. This was confirmed in notification No.43 published in the Fort St. George Gazzette dated 13-12-34.

4. That due publicity was not given to the ryots of the proposed enhanced rates of water cess, as the

village is a depopulated one. The Gazzette notificatio of July 1934 itself recognises that the soil in the area is poor country undulating and places rocky. Inspite of this the rate of water cess has been enhanced ~~at~~ 2½ times the original rate.

This sudden increase in the rate works a great -- hardship to the poor ryots, though the enhancement in th rates is apparently intended to make the scheme remunerative so as to yield 6½% on the capital out-lay. The scheme is more a protective one and not productive. In fact the wet assessment in the village is within only -- Rs.5/-.

5. That there was no paucity of water supply for the irrigation of these dry lands with wet crops. It is unfair to introduce the new rates while the rates themselves as has already been stated above are exhorbitantly high comparing with wet assessment. The rates are high when compared with the rent the lands fetch; the rent is 3 to 5 % of paddy per acre, i.e. Rs 9 to 15, or 2 to 2½ "heras" of jaggery, Rs 12 to 15 per acre.

6. That the local authorities have stated that the -- improvements to the irrigation work were completed in fasli 1346, but they have not issued standing permits for that fasli. At the same time enhanced rates have been levied in respect of certain lands under the aya-cut of the source in question. The reasons for leving these rates are not manifest. Standing permits were issued only for fasli 1347 after the crops of fasli 1346 were harvested.

7. That they moved the District Collector in respect of this matter in April 1937 but they were not favoured with any order. The petitioners therefore request that the Hon'ble Board may be pleased to direct an enquiry into the matter and render justice to the petitioners.

8. That as the Land Revenue according to the enhanced rates has already been collected on pain of coercive measures being launched, the petitioners request that the difference between the original and the enhanced rates may be kindly ordered to be refunded. The petitioners also request that speedy orders may be passed, in view of the fact that collection of cist begins in December 1937

For which act of kindness the petitioners shall ever feel thankfu

The Petitioners Beg to remain

Honoured Sir,

Your most Obedient ryots

H. Venkata Ramanadhu

M. Kariyappa

Copies to:--

1) ~~The District Collector, Bellary.~~
2) ~~The Minister in charge of Land Revenue.~~
3) ~~The Minister in charge of Irrigation.~~
4) M.R.Ry., B.Ananthachar Garu, B.A.,B.L., M.L.A., Hospet.

7. That they moved the Dt. Collector in respect of this matter in April 1937 but they were not favoured with any -- order. The petitioners therefore request that the Hon'ble Board may be pleased to direct an enquiry into the matter render justice to the Petitioners.

8. That as the land revenue according to the enhanced rates has already been collected on pain of coercive measures being launched, the petitioners request that the difference between the original and the enhanced rates may be kindly ordered to be refunded. The petitioners also request that speedy orders may be passed in view of the fact that collection of Kist begins in December 1937.

9. That we have laid the above facts before the Jamabandi Officer, (Dt.Collector) on 22-4-37, and a resolution on similar lines was passed on 5-5-37 at a meeting of the ryots of the said village, and a Copy of the resolution was sent to the following Officers:

The Chief Secretary, Govt of Madras.
The Commissioner of Land Revenue & Settlement,
The Minister in charge of Revenue,
and The Collector, Bellary.

That on the 14th May, telegrams were sent to the Minister in charge of Revenue, and to the Chief Secretary Govt. of Madras. A similar petition has been submitted to the Commissioner, Land Revenue and Settlement, Madras.

For which act of kindness the petitioners shall for ever thankful.

We beg to remain,
Honoured Sir,
Your most Obedient Ryots,

Copy to:-

Minister in Charge of Irrigation,
Commissioner of Land Revenue &
Settlement.
Collector, Bellary.
L.S.V., S. Ranth Shetty, M.L.A.,
Hospet.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ...		
When copied ...		
When examined ...		
When signed		
When despatched.	24 JUN 1937	

DESPATCHED

Assessment - charge for water - (Bellary) - Hospet Taluk - Basavanna - nah and Raya channels and Kamalapuram Tank - Revised rates - objection

READ AGAIN H 4431/31 - Petition, dated 17-5-37 19

" " H 988/37 Memo from the Govt Rep Dept no 2020 F/37-31-5-37- 19

READ ALSO: H 1003/37 Letter from the Collr of Bellary R.C. 1315/37 d 3-6-37-

No. H 1417/37 " No. " dated 19

" H 1839/37 " " " " A2-1315 d 1-10-37

" " H 2178/37 " " " " A2-1315/37 d 9-11-37

Order Ms. Resolution Rout. No. , dated Ref H 843-37-7 d 23-11-37

submitted to the Govt with reference to their memorandum no 2020 F/37 d 31-5-37, and Endts Nos 2020-F.37/2 14-6-37, 18-6-37

2) The Basavanna channel sch was intended to improve and extend the existing Basavanna channel taking off from the Tungabhadra river in Hospet Tk. The various works contemplated are given in the notification appended to G.O no 1432 Rev d 25/7/34 The scheme is expected according to the latest investigations to irrigate 1650 acres of garden lands for

the first time and to secure in
upply to 9.50 acres of dry lands
lready under irrigation. The r
f water-cess ~~leave~~ have fixed
for a fresh irrigated crop no
at Rs 10 per acre and corresponding rat
nis have in the first year i
respect of old irrigation and
ssessment rates as shown be
ill apply in respect of lands
o be newly brought under irri
~~1/4 of Rs 10~~ for the first 2 years
~~1/2 of Rs 10~~ for the third year
~~1/4 of Rs 10~~ for the fourth year.
~~Rs 10~~ from the fifth year.
Copy of a report from th
E.E that the works connected
with the scheme had been
completed, the new rates have
been introduced from the fasli
1347 the cases of dry lan
previously under irrigation in
addressed the Bd in May 37 and a cl
~~duty~~ to the levy of these rate
The arguments advanced by

ii) the levy of Rs 10 per acre when the
wet exist in the neighbourhood
is within Rs 7 is not just

iii) Some of the items of work
contemplated have not been
carried out and the introduc-
tion of the new rates in Fasli
1346 is not justified

iv) standing permits for irri-
gation have been issued as from
Fasli 1347 and yet penalty was
levied in Fasli 1346. The extract from the reports
was referred to the Collr for remarks. He noted

~~All these allegations have been~~
The reports received from the Collr ~~is~~
~~dealt with by the Collr in his~~
~~deal with the subject points. The new ra~~
~~letter read above. The main~~
were noticed and confirmed under the No
~~question for consideration is~~
Irrigation Cess Act. The notice given has no
~~this case is whether the introduc~~
right to claim that the lands should be
~~tion of the new rates was~~
transferred to wet or that the new rates
~~satisfied sufficiently early to~~
should not be levied. The Collr is
~~about the facts the Collr is~~
therefore correct in recording the notices
~~issuing a wet or dry crop~~
rules for the levy of water cess
were confirmed as early as
1924 and the rules were to be
enforced after the completion
of the works. Annual permits
~~stead of standing permits~~
had been issued for F 1346

Such and the representations
from the ryots received from the
Asst were also referred to the
Collr for remarks. In calling for
remarks, the attention of the Collr
was invited to Co 2272 Rev 87
21-10-36 announcing land
revenue concessions for Fasli 1346.
He was asked to state whether
there was a case for reduction
of the rates of waterlevy in the
present case for Fasli 1346.
and if so the rate he would
propose & its financial effect.

p534

the Bd finds that it was
notified to the Supt that the
enhanced rates would be discon
tinued from 7 1346 before
cultivation began in June 1936
In this circumstances, it could
that the introduction of the
rates in April 1346 was not
result of the excluding pro
vards that the new rates
be introduced from that date
a separate amount already collec
ay be ordered to be adjust
wards the dues of the owner
ntended if adjustment
ot possible in the case

It has been ordered by my predecessor that the collection of the enhanced water cess in Fasli 1346 on the dry lands under the three sources named above, should be postponed till the objection petitions presented to the Board were disposed of

The kist season of Fasli 1347 commences in Januar 1938 and the Tahsildar asks for orders in the matter.

I request that instructions may be issued as to which rate should be collected pending orders.

DRAFT FOR APPROVAL.

Initials.

When received for fair copying

When copied

When examined

When signed

When despatche

READ AGAIN

" " H 2337/37 fr

READ *ALSO* :—

No. From the

" "

" "

Order ~~ms.~~
~~Resolution~~ Rout. No. , d

SUBJECT :—

Assessment - charges
(Billary) - Hospet Taluk - Bellary
Tal and Raya channels and
Kamalapuram Taluk - Levy of
enhanced water cess.

The collr is informed that pending
the Bd has recommended the introduction
the orders of the Govt
enhanced rates of water cess
under the three sources mention
from this fasli only as a matter of
ed above should be collected
grace and that the orders of the Govt
with effect from fasli 1347
are expected only after the holidays
7V
21/12 The enhanced rates can be
collected from this fasli only
Thu
23/12/37

REVENUE DEPARTMENT.

10 JAN 1938

M E M O R A N D U M.

No.2020-F/37-5 dated 8th January 1938.

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Roya channels and the Kamalapuram tank - Levy of increased water-cess.

From the Board of Revenue (Land Revenue and Settlement) Ref. H.No.843/37-7 dated 23-11-1937.

The Government accept the recommendation of the Board of Revenue and direct that the old rates of water-cess should be levied for fasli 1346 on lands previously under irrigation from the Basavanna channel, the Roya channel and the Kamalapuram tank in the Hospet taluk of the Bellary district. The excess amounts already collected should be adjusted towards the dues of the current fasli, or refunded if adjustment is not possible in any individual case.

2. The Board is requested to furnish the following information separately for the area under each of the sources referred to in the above paragraph:-

(i) the extent of the registered wet ayacut,
(ii) the extent under each of the wet rates charged in that ayacut,
(iii) the dry rate on each class and sort of soil on which wet rates are charged in the ayacut,
(iv) the extent of the dry lands
  (a) previously under irrigation, and
  (b) newly brought or to be newly brought as the result of the project under irrigation, and
(v) the extent under each dry rate in the area shown under item (iv)(a) and (iv)(b) separately.

B. G. HOLDSWORTH,

Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).

****

F O R W A R D E D.

(BY ORDER)

From (Name) E.C.Wood Esq., I.C.S.,

(Designation) District Magistrate,

Post Box....., (Station) Bellary.

Telegraphic Address...

To

The Secretary to the Board of Revenue
Madras

From No. 13[illegible]/37A-2, dated 24-2-38 19 .

Sir,

Assessment- charge for water- Bellary District- Hospet Taluk- Basavanna and Raya Channels and the Kamalapuram tank- levy of increased water cess.

Ref:- Board's Ref.H.No. 843/37-9 dated 17-1-38.

The rules for the levy of water cess were confirmed as early as 1934 and they were to be enforced after the completion of the works. As it was not formally notified to the ryots before cultivation began in June 1936, that the enhanced rates would be brought into force from Fasli 1346, the Board recommended to Government, that the new rates may as a matter of grace be introduced from Fasli 1347. The Government while accepting the Board's recommendation ordered that the old rates of water cess should be levied [illegible], on lands previously under irrigation.

2. The Sub Collector Hospet presumes that by the use of the word" Previously" in the latter part of the first sentence of the Government's Memo No. 2020-F/37-5 dated 8-1-38, the lands irrigated prior to Fasli 1346: and that the new rates should be applied to the lands newly brought under irrigation in Fasli 1346. If the view of the Sub Collector is accepted there will be confusion and difficulty in tabulating the lands eligible for concession. The exact scope of the term

previous years or is it necessary that the land should have been irrigated in the year immediately preceeding Fasli 1346? In order to avoid these complications, I have asked the Sub Collector to apply the new rates, both for the old and newly irrigated lands in this fesli.

I request to be informed whether I am correct.

DRAFT FOR APPROVAL.

	Initials.
When received for fair copying — 16/3	MA/163
When copied — 16/3	
When examined — 16/3	CM/8163
When signed	
When despatched. — 17 MAR 1938.	

DESPATCHED

READ AGAIN _____, dated _____

SUBJECT:—

Assessment - charge for water. (Ballarat) - Hospital Falls - Basement and Range - kennels and the same - abattoir Falls - Levy of [illegible]

a set off against the expense of
ing land under irrigation
a first time under the impro
d extended channels.
he cattle is requested to expedite
is reply to para 2 of the joint
orandum referred to above.

PROCEDINGS OF THE RYOTS' ASSOCIATION, KAMALAPURAM, HOSPET TQ., BELLARY DISTRICT - MEETING HELD ON 1-5-1938 at L.F.CHOULTRY

BOARD OF REVENUE
8 - MAY 1938
MADRAS

Subject:- Levy of water cess - enhanced rates - Basavanna and Roya Channels, Kamalapuram Tank -

Resolution I.

Ref: No. I. Mahazar Petition of the ryots of Kamalapur, Malpangudi and Kadirampuram D/ 25-3-37 to the Board of Revenue.

2. Mahazar Petition of Kamalapur, Malpunagudi and Kadirampuram ryots D/ 19-4-37 to the Collector and Jamabandi Officer, Hospet.

3. Proceedings of the meeting of the Ryots' Association, Kamalapuram D/12-4-37 thereof.

4. Mahazar Petition of Kamalpur, Malpangudi and Kadirampuram ryots dated 22-4-37 to the Jamabandi Officer, Hospet.

5. Proceedings of the meeting of the Ryots' Association, Kamalapuram held on 3-5-37.

All addressed to the Government of Madras.

Inspite of all these requests, one appeal filed by the Secretary of the association to the Commissioner of Land - Revenue and Settlement, Board of Revenue, Madras D/ 17-5-37, no action was forthcoming regarding final orders on reduction of rates and the poor ryots were made to continue to suffer. Thereupon, the ryots went on deputation to the Revenue - Minister, at Bellary on 12-8-37.

Since no definite order, modifying the rates of water cess (enhanced) were issued by the Government, the Revenue authorities have levied at the enhanced rates for the current fasli - 1347.

Thereupon the Secretary of the ryots' Association, Kamalapur, on behalf of the Association, requested the Revenue

levenue Minister, through a telegram D/ 4-3-38 praying stay orders regarding collection of the enhanced rates on behalf of the lands irrigated by the Basavanna Channel, Rayachannel, and Kamalapuram Tank, and personal inspection and final -- orders on Resolution No. 3 of the Association passed at the meeting held on 12-8-37.

Till now no such orders are issued and the property distrained ~~ax~~ is fixed for sale on 4-5-38. In this connection, the collector was also requested in petitions D/ 24-3-38 and 2-4-38, but he has in his Ref A-2 - B15/37 D 28-4-38, refused that 'Stay of sales' unnecessary The Association hereby submits to the Government of Madras, with requests, 1) to immediately send stay orders regarding sale of the property, - by telegram,

2) to send stay orders not to collect enhanced rates,

3) to conduct personal inspection and enquiry, and at last to redress the grievances of the suffering poor ryots, by assessing only the old rates of Rs.4/ and Rs.6/ for single and Dufasal crops respectively.

This demand of the ryots is ~~xxxx~~ strengthened by the facts that water-cess on behalf of even the rich delta-lands under Godaveri and Krishna Rivers are recently reduced from Rs.6/- to Rs.5/-, secondly, by the fact that no project would give a return as high as 6¼ % interest, example-Caveri-Mettur Project etc., thirdly, by the fact that this District people are economically very much backward when compared to other Districts, fourthly, by the fact that even the assessment on wet-lands in the localities of the dry lands under question, is from Rs.5/- to Rs.7/-, which shows that the produce from the lands justifies only such assessment, and fifthly, by the fact that it is unjust to levy any enhanced rates on behalf of ~~grants~~ lands irrigated for ages long as 50 or 60 years, while the rates are prohibitive

prohibitive on behalf of newly cultivated lands.

subject :- Levy of enhanced rates of wate-cess - Kaderampuram and Singanathanahalli lands - irrigated for by drainage channel "Muniappa Vanka"

Resolution No. 2. -

The dry lands in the villages of ...rampuram and Singanathanahalli, irrigated by water from the drainage channel by name "Muniappa Vanka" are chaged at the enhanced rates of Rs.10 and Rs.15/- for single and dufasal crops. This was explained by the revenue authorities (Tahsildar), to be on the ground that the same drainage channel irrigates some wet-lands, the source for which is noted as "Raya Channel" in the Diaglot. But such an entry must be a mistake by oversight because of the different fact and it seems unfair to apply apply this mistake to dry lands cultivated under the source -- instead of effecting necessary correction in the diaglot.

As per Para II of the G.O. No.2592 (Revenue) D/ 1342-34 (Page 148 of the Fort St. George Gazette Part I, D/29-1-35) the enhanced rates of water-cess apply only "When water from the Basavanna Channel (including extention Channel), the Raya Channel, or the Kamalapuram Tank is supplied for irrigation of crops".

There is absolutely nothing stated about water flowing through the Muniappa Vanka, in as much as it is a source ---- formed by the surplus water from fields at the head (irrigated by Rayachannel and Turta Channel waters).

Since the G.O. does not contemplate enhanced water-cess rates on behalf of lands irrigated by sources other than the Basavanna Channel, Rayachannel and Kamalapuram Tank, and under the circumstances stated in paras 1 and 2, the Association hereby submits to the Collector that he may be kind enough to order the stopage of collection of enhanced rates on behalf of the said lands (irrigated by Muniappa Vanka), and to refund

refund such of the amounts collected in excess over the old-rates of Rs.4 and Rs.6 per acre on single and dufasal crops.

(Sd) B. Subbanna Char
Secretary

Copy communicated to
1) the Govt of Madras (Revenue Dept)
2) the Board of Revenue
3) M.R.Ry, B. Bheema Rao, M.L.C.
4) " B. Ananthacher, M.L.A.
5) " H. Seetharamareddy, M.L.
6) Janab Abdul Rawoof Sahib M.L.A
7) The Collector of Bellary
8) The Asst. Collector of Gooty

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched		

READ AGAIN _____, dated _____ 19____.

H 11.09 | 38. Letter from the Secy of the Rights association d 1-5-38 — P

" 19____. 6693-98 4

READ *ALSO* :—

No. _____ From the _____, No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order ~~Ms.~~ / Resolution Rout. No. _____, dated Ref H 843. 37. 11 d 7-5-38 19____.

BOARD OF REVENUE
7 - MAY 1938
MADRAS

REVENUE DEPARTMENT.

SECY.
7-MAY 1938

M E M O R A N D U M.

No.2020-F/37-7 dated 6th May 1938.

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Raya channels and the Kamalapuram tank - Levy of increased water-cess.

Government Memo.No.2020-F/37-5 dated 8-1-1938 and Government Endorsement No.2020-F/37-6 dated 4-5-1938.

In continuation of the Government Memorandum quoted above and pending further orders, the Board of Revenue is requested to instruct the Collector of Bellary to collect water-cess at the old rates for fasli 1347 also in respect of the lands previously under irrigation from the Basavanna channel, the Raya channel and the Kamalapuram tank in the Hospet taluk of the Bellary district. If any sales have been posted in respect of the excess amounts due at the new rates, the sales should be held up pending further orders.

2. The Board of Revenue is requested to expedite the bmission of the information called for in the Memorandum oted above.

T. M. S. MANI,

Under Secretary to Government.

To the Board of Revenue (with copies of telegram dated 2-5-1938 and Government Endorsement No.2020-F/37-6 dated 4-5-1938).

ollector of Bellary.

****

F O R W A R D E D.

(By Order)

Superintendent,
Revenue Department.

TJT/6.5.

Copy of telegram from M.R.Ry. B. Anantachar Avl., M.L.A dated 2-5-1938.

Kamapal Kamalapuram ryots appealed against enhanced r last fasli granted statistics called by Government final or

pending meanwhile sale fixed fourth May pray stay sale pending orders.

Copy of Endorsement No.2020-F/37-6, Revenue, dated 4-5-1938.

Assessment - Charge for water - (Bellary) - Hospet taluk Basavanna and Raya channels and the Kamalapuram tank - Levy of water cess

From M.R.Ry. B. Anantachar Avl., M.L.A., dated 2-5-1938.

Forwarded to the Collector of Bellary for disposal.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying	12/5	PR
When copied	12/5	[illegible]
When examined	12/5	NSR/PV
When signed	16 MAY 1938	
When despatched.		

SUBJECT :— Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Raya channels and the ~~Kap~~ Kamalapuram tank - levy of increase water-cess.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____

READ *ALSO* :—

No. _____ From the Board's rej H 843-37-9 No. _____, dated 17-1- 1938 p. 87 ct G

" _____ " Govt. Rev. Dept. Mems. 2020 F/37-7 6-5-1938 p. 101 ct Q

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. _____, dated Rej H 843/38-37-12 & 11-5-38. 19____.

RR to coll^r d 11-6-38

RR to govt d 13-6-38

RR to coll^r d 26-7-38

The attention of the Collr. of Bellary is invited to the Govt: memo read above and he is requested to collect water cess at the old rates for fasli 1347 also in respect of the lands previously under irrigation from the Basavanna channel, the Raya channel and the Kamalapuram tank in the Hospet taluk of the Bellary district. The Collr is requested to see that, if any sales have been posted in respect of the excess amounts due at the new rates, the sales are held up pending

further orders.

/ The Collr. is requested to expedite his reply to para 3 of the Board's ref. read above

Chr
11.5.38
Th
11.5.38

Revenue DEPARTMENT.

In reply, please quote number, date and short title.*

Received ..... *Registered* ..... H 4180

From (Name) J.W. Pritchard Esq.,I.C.S.,

(Designation) Collector,

Post Box ....., (Station) Bellary.

Telegraphic Address .....

To

The Secretary to the Board of Revenue
Madras.

Ref. *No.* 1315/37-A2, *dated* 6- 9 - *193*8.

Sir,

ENCLOSURES.....

.....

.....

SPARE COPIES.....

Assessment - charge for water- Hospet Taluk - Basavannah and Raya Channels- and Kamalapuram tank- Levy of increased water-cess.

Ref:- Board's Ref.No.843/37-12, dated 11-5-38.

The matter is pending with the Revenue Divisional Officer, Hospet and I am asking him to expedite his report. I shall submit my report soon after the receipt of the Revenue Divisional Officer's reply.

The Board's Exchange Reminder dated 2-9-38 is resubmitted.

hvr.6/9.

For Collector.

Revenue DEPARTMENT.

H2291

In reply, please quote number, date and short title.*

Received *Registered*

From (Name) J.W. Pritchard Esq., I.C.S.,

(Designation) Collector

Post Box ; (STATION) Bellary

Telegraphic Address

BOARD OF REVENUE
21 SEP 1938
MADRAS

To

The Secretary to the Board of Revenue,

D.Dis. *No.* 1815/38, *dated* 19th Septr. 1938.

ENCLOSURES

SPARE COPIES

Assessment - charge for water - Hospet taluk - Basavannah and Raya channels and Kamalapuram tank - levy of enhanced water cess on lands under Muniyappa vanka - report submitted.

H994 Ref: Board's Ref. No. H.843-37-11 dated 7-5-38.

The Revenue Divisional Officer, Hospet and the Executive Engineer, Bellary were consulted in the matter. The Revenue Divisional Officer is of opinion that the enhanced rate cannot be applied to the lands under the Muniyappa vanka as it had no definite source of supply. The Executive Engineer considers that as the vanka is a drainage channel formed from the drainage waters of th[illegible] under the Raya channel it is not an independent source by itself and that it is a supplemental source depending entirely on the Raya Channel for its supply and as such the enhanced rates according to the G.O. No. 2592 Revenue dated 13-12-1934 are applicable to the lands under the Muniyappa vanka also.

very near the channel, so that the situation is rather different from most cases of drainage irrigation, where the lands so irrigated are frequently far away from the source. These lands appear to be just as well off, as the lands that have no direct field bodhies, but have to depend on field to field irrigation.

3. A rough sketch showing the muniyappa vanka and the adjacent irrigation channels, and also a tracing showing actual field bodhies from the Raya channel, and drainage channels which are numerous are enclosed.

I/c

For Collector.

..1919.

Revenue DEPARTMENT. H 2587

In reply, please quote number, date and short title.*

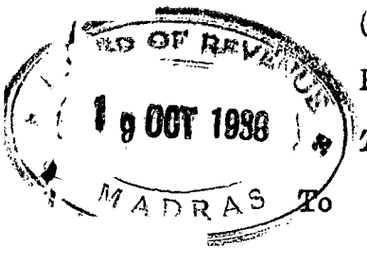
Received _____ *Registered* _____

From (Name) J.W.Pritchard Esq.,I.C.S.,

(Designation) Collector,

Post Box _____, (STATION) ~~Bellary.~~

Telegraphic Address _____



To

The Secretary to the Board of Revenue,
Madras.

D.Dis. *No.* 1315/37 *dated* 17th October 1938.

Sir,

ENCLOSURES _____

ASSESSMENT - Charge for water - Hospet taluk - Basavanah and Raya Channels -and Kamalapuram tank - levy of increased water cess - Soil-war particulars.

SPARE COPIES 5 ~~5~~ 4

Ref:- Board's Ref.H.No.843/37-9 dated 17.1.1938.

I submit herewith a statement showing the particulars called for by the Board. In similar circumstances the ryots under Rampuram channel in Adoni taluk were not willing to get their lands transferred to wet, and the Board in its resolution No.188 Mis.dated 21.1.1929 ordered that wet assessment should be charged, whenever wet cultivation is carried on.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying	11.11	
When copied	11/11	
When examined	11.11	
When signed	11/11	
When despatched	12 NOV 1938.	

SUBJECT: assessment - Indigo pro water Bellary) - Hospet Taluk - Basavanna and Raya channels Kamalapuram Tank - Levy of increased water rate - Soil and particulars.

READ AGAIN H109/38 Memo dated 4th ~~June~~ 2020 F/37-5 Mad 8-1-38-

sports association Kamalaburam
accordingly.

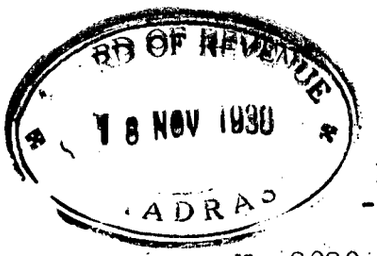
11/11

11/11/38

12.11

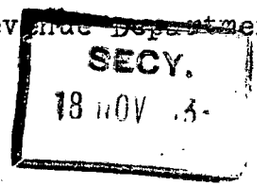
To the secy to grant Rs
with a Mr pass long
To the valley of Bellary pass

H 2925



115
117

Revenue Department.



MEMORANDUM.

No.2020 F/37-8, dated 17th November 1938.

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Raya channels and the Kamalapuram tank - Levy of increased water-cess - Soilwar particulars.

From the Board of Revenue, Reference H.No.843/37-14, dated 11th November 1938.

The attention of the Board of Revenue is invited to remarks under Raya and Basavanna channels in respect of columns 6 and 7 of the statement submitted by it with its reference quoted above. The total of 1550.77 acres referred to therein does not agree with the total arrived at from the figures in columns 6 and of the statement in question. The Board is requested to report urgently how the figure "1550.77 acres" has been arrived at.

T. M. S. Mani,
Under Secretary to Government.

To

The Board of Revenue.

Forwarded.

(By Order)

Superintendent.

DRAFT FOR APPROVAL.

	Initials.	
When received for fair copying ...	—	25.11
When copied ...	29/11	
When examined...		
When signed	DEC 1938	8/12
When despatched.	9-12	

Hdqrs. ... Hadapsar Taluk. Ras-arvana Raya channels and Kamalapur tank. ... of water ... Sanctioned ...

READ AGAIN H 25-27/32 letter from, dated the Collr of Bellary 13/15/12/1 19 17-10-32 — Q

" " H 24-25/12 Memo from " the Govt 2020 F/37-Fd 17-10-32 — Q

READ *ALSO* :—

No. _____ From the _____ No. _____, dated _____ 19 _____.

" _____ " _____ " _____ " _____ 19 _____.

" _____ " _____ " _____ " _____ 19 _____.

Order Ms. Resolution Rout. No. _____, dated M-H & L 3-37-15-d 23-11-37 19

The attention of the Collr Bellary under Raya and Badami channels in respect of columns 6 and 7 of the statement submitted by him with his letter read above the total of 15-5-0 ... referred

C.F. 32.

Revenue DEPARTMENT. H652

In reply, please quote number, date and short title.*

Received *Registered*

From (Name) K.M. Unnithan Esq., M.A., I.C.S.,

(Designation) Collector

Post Box, (STATION) Bellary

Telegraphic Address

To

The Secretary to the Board of Revenue,

Madras.

R.P.C. No.4708/38 A., dated 25-2-1939

Sir,

Assessment - charge for water - Hospet taluk - Raya and Basavanna channels - Kamalapuram tank - levy of increased water cess - soilwar particulars - discrepancy-report - submitted.

Ref: Board's H. No. 843-37-15 dated 23-11-1938.

ENCLOSURES

statement-

SPARE COPIES

The total of columns 6 and 7 works to ~~1708~~ acres.

This consists of the following items:-

a) Ultimate ayacut under Basavanna extension channel only as worked out by the Public Works Department.

b) Extent of dry irrigated land under old Basavanna channel for which permits have been issued by the Public Works Department.

c) Unauthorized irrigation of dry lands which was not brought to account by the Public Works Department as permits were not issued by them and water cess charged by the Revenue Department. 30.79

Total .. 1708.76 Acres

2. The extent of 1550,77 acres is the ultimat ayacut under the Basavanna extension channel only in the several villages noted below as reported by the

Public Works Department.

94	Amaravathi	66.16 acres
88	Mudâapuram	188.42 "
89	Anantasayanagudi	12.40 "
74	Malapanagudi	296.15 "
75	Kamalapuram	987.64 "
	Total...	1550.77 acre

P.S. 27/2.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied	7/2/39	
When examined..		
When signed ..		
When despatched.	MAR 1939	

DESPATCHED

SUBJEC

Hosk - charge for water - (boring) Hospet Taluk - Raya and Bukka wells - Kamalapuram Taluk - Lying of pipe water - Soil with particulars Dispensary - Report: submitted

READ AGAIN Memo from Dti, dated Rec Date no 20207/31-8-38-11-11-38-A

" " #152/39 letter from, the collr of Bellary 4704/38 dd 25-2-39 — A

READ *ALSO*

C.F. 32 (a).

Revenue DEPARTMENT.

In reply, please quote number, date and subject.

Received

Registered H.1497

C.F. No.

OFFICE OF THE COLLECTOR OF REVENUE
9 - JUN 1939
MADRAS

(Name) N.S.Arunachalam B.A.,M.L.C.S.

(Designation) Collector

Post Box (Station) Bellary

Telegraphic Address

Gr - (Bellary)
Basavanna
n tank -
r - water

Enclosures

Spare Copies

Assessment - charge for water - Hospet taluk - Raya and Basavanna channels - Kamalapuram tank - levy of increased rates of water cess - petition of the ryots - orders - requested

Ref: Board's H.No.843-37-15 dated 23-11-38 and this office C. No. 4704/38 dated 25-2-1939.

I invite your attention to the correspondence ending with this office reference quoted above and request that the orders passed in the matter may be communicated to me at an early

For Collector.

OFFICE OF THE BOARD OF REVENUE
10 JUL 1939
MADRAS

GOVT. OF MADRAS

H 1711 H 1

Revenue Department.

SECY.
10 JUL 1939

MEMORANDUM.

No. 2027 F/37-11, dated the 7th July 1939.

Assessment - Charge for water - (Bellary) Hospet taluk - Basavanna and Roya Channels and the Kamalapuram tank - Water cess - Levy during fasli 1348.

Correspondence ending with the Reference from the Board of Revenue, H. No. 843/37-16, dated the 6th March 1939.

In Memorandum No. 2205 F/37-7, dated the 6th May 1938, orders were issued to the effect that the old rates of water-cess (viz., Rs. Four for a first crop and rupees six for a dufasal crop) should be levied for faslis 1347 on lands previously under irrigation from the Basavanna channel, the Roya channel and the Kamalapuram tank in the Hospet taluk of the Bellary district. The Board of Revenue is informed that ~~for~~ water-cess at the old rates should be levied in respect of the lands in question for fasli 1348 also. The amounts, if any, collected already in excess of those rates should, either, be adjusted wherever possible, towards the dues for the current fasli (1349), or refunded to the parties in cases in which no adjustment is possible.

B.G. Holdsworth,
Secretary to Government.

The Board of Revenue.

xt - Charge for water - (Bellary
yet TN - Basavanna and
ya channels and Kamalapura
ss - Water cess - heavy - Fasli
:8 - Order passed - fork memo
mund.

1.652 - From the Coll of Bellary -
Re no 4764/38 of 25.2.38 F
1711. From the fort. AD. memo
no 2027 F/37-11 of 7-7-38 - A
s No 1938 of 13.7-38
Communicated to the
ll of Bellary for information
d guidance

To the Coll of Bellary with a
sketch & tracing returned

List of paper

(1) His 765 d 4-3-37 (B) ✓

(2) Mee 3929 d 16-10-35 (H) ✓

(3) Ent/H 847/35 d 6-4-35 ✓

(4) G.O. 2592 d 13-12-34 (C) ✓

(5) Mis 3078 d 6-9-34 (D) ✓

(6) Mis 3351 d 5-12-33 (G) ✓

(7) Mis 534 empl d 16-2-32 (I)

(8) Press 19 d 12-4-26 (X) ✓

(9) Mis 6 d 3-1-25 (F) ✓

(10) ~~G.O. 373 d 6-3-25~~ ~~mem~~

(11) Mis 3872 d 4-12-31 ~~mem~~

(12) Mis 3383 d 9-10-28 ✓

G.O. 2272 d 21-10-36 (T) ✓

G.O. 1425 d 2-7-36 (R) ✓

Mis 364 d 28-1-35 ✓

G.O. 445 I d 19-12-24 (N) ✓

~~Σημαντικό~~ (O)

Assessment - Charge for water - (Bellary Hospet taluk - Basavannah and Raya channels and Kamalapuram tank - Revised rates - Objection.

H 843/37

Bd's Ref. H.843/37-1 d/ 17-5-37

H 988/37

H 1003/37

To J.S.

Please see the petition at pp 1-5 c.f, the Collr's report thereon at pp 17-18 c.f. and the Govt. Memo. at ~~pp 11-15~~ PJJ c.f.

2. The Basavannah channel scheme was intended to improve and extend the existing Basavannah channel taking off from the Tungabhadra river in Hospet taluk. The various works contemplated are given in the opening para of the notification at p 103 of (D). The scheme is expected according to the latest rev. forecast to irrigate 1650 acs.of Govt. dry lands for the first time and to secure improved supply to 950 acs. of dry lands already under irrgn. The rates of watercess have been fixed at Rs.10 per acre. This rate will come into force in the first year in respect of old irrgn. and concessional rates as shown in the margin* will apply in respect of lands to be newly brought under irrgn. On receipt of a report from the E.E. that the works connected with the scheme has been completed the new rates have been introduced from fasli 1346. The petn

petition in the c.r. is against these rates. As is evident from para 1 page 1 the petition is from the owners of dry lands ~~already~~ previously under irrgn. The total extent of such lands according to the r forecast is 950 acs. The actual area irrigated in 1936-37 is not known. The arguments advanced by the petitioners ar

(i) publicity was not given for the proposed enhanced rates of watercess, in fasli 1346,

(ii) the levy of Rs.10 per acre when the wet asst. in the neighbourhood is within Rs.7 is not just,

(iii) some of the items of work contem plated ~~had~~ have not been carried out and the introduction of the new rates in fasli is not justified,

(iv) standing permits for irrgn. have been issued as from fasli 1347. A yet period ended in fasli 1346

The objections are dealt with below:

(i) The Collr. states that the notification proposing the revised rates was published in the Fort. St. George Gazett in Aug. 1934 and in Eng. and in Tamil in the Dist. Gazette for ~~August~~ Septr. 1st and Octr. 1934. and that as no objections were received the notification was confi in Decr. 1934. The point of the petitio seems to be that the introduction of the revised rates in fasli 1346 was not not The Collr. states that instructions were issued to the Tahr. to give effect to t new rates. This does not seem to answer the petitioners' points. If publ had been given objections would have come

(ii)

(ii) The Collr. states that the rates of wet asst. under the sources are betwee Rs.10 and 13 per acre and that watercess at Rs.10 per acre is not excessive and is much less than the wet asst. prevailing ir the locality.

(iii) The Collr. makes a general statt. that the ... reported that all the works were completed and that the extensio channel came into beneficial use from June 76. How far the definite allegations ade in para 5 page 3 c.f. are true is ot clear. These are facts which can be ebutted if the E.E's report is correct.

(iv) Standing permits were issued as rom fasli 1347. The Collr.states that hese are differnt frm forms of permit ith the same conditions and restrictions s under the old annual permit system and hat the levy of enhanced watercess in asli 1346 is justified. The Collr. is orrect so far as the levy of penalty is ~~orrect~~ concerned. The petrs.' point seems to be hat if the works had been completed in asli 1346 the standing permits could ave been issued from fasli 1346. Refce. s invited to the Collr's report at pp 1-12 of (B) where the E.E. stat~~s~~ that tanding permits could be issued only fro 937 after the Mukarthi Odai aqueduct is onstructed for supplementing the supply n the Raya channel. It is not known hen this aqueduct was actually completed t would appear to have been completed uring the course of 1936-37 - vide ollr's report at p 25 of (B). If so,

the introduction of the new rates in fas
1346 does not seem to be quite correct.
the Govt. have called for a report it seems t
the Collr. should be asked to submit a
fuller report.

3. The Govt. want that the concession in the
should be explained to the ryots. Obvious
they are under the impression that the p
is from the owners of dry lands to be ne
irrigated which is not the case. The Co
will however be instructed to explain the
concessions to the ryots.

4. Even if the E.E's report that all the
works have been completed and that the
introduction of the new rates in fasli 1
is justified it seems that the petrs. have
a case. When concessional rates of watercess
are levied under the Godavaris and Kistna
and under the C.M.P., the levy of Rs.10 as
against old Rs.4 per acre for lands all along
under irrgn. under the Basavannah channel
scheme seems hard to justify. The Collr.
ought to have raised this question when he
wrote his letter dated 15-10-35. The rate
under the C.M.P. is Rs.5 per acre and unde
the Godavaris it is 5.12.0 per acre. It i
therefore for consideration whether a rate
of Rs.5 may not be recommended for old
irrgn. in fasli 1346. The area irrigated
and the excess watercess that will have to
be refunded will have to be ascertained
from the Collr. The scheme is already
unproductive, the return expected is Rs x
3.31 %. The concession in respect of old
irrigation will reduce the return further.

para 4, l 2 of (T)
para 1, l 13 of (R)

pp 1-2 of (B)
para 11, l 13 of (R)
para 4, l 20 of (T)

29/8/37

Further. For orders.

The cover states that the petn
16/3/37 may be rejected unless there is
a likelihood of these rates coming
under the examination by the
Land Rev. committee. It does not appear
that the committee is concerned with the
rates of waterces though a decision regd
that asst may necessitate a reexamination
of the rates of waterces if the difference
between wet asst and dry plus
waterces will be increased as to create
discontent so far as old irrigation of
dry lands is concerned.
14/3/37

12.
14/6

To JS

Draft submitted.

15/6/37

17/6/37

15/6/37

15 cf 3-41

Issued as Bds Rej. H. 843/37-3 dd 21-6-37
Letter from the Coll. of Bellary ~~Bds. C. no 2359~~ dd 2-8-37

To JS Please see the notice of suit
at pp 25-33 cf which was referred
to the Bd of Rev for remarks in the
Govt. Endt. at p 23 cf. As a reference
on the subject had been issued

in continuation of to B dr Ref. H. 843/37-2d 17-6-37. The Collr. has submitted a report on the suit notice separately. Reports on other references are still due.

2. The suit notice relates to lands under the Raya Channel for which increased supply was intended to be given under the Basavanna extension Channel Scheme. As to lands under the Raya Channel are lands already under wet cultivation water cess at Rs 10 was charged from 7-1346 with reference to Rule 11 of the rules notified in G.O no 2592 d 13-12-34. The ~~plaintiff~~ notice giver states that the levy of water cess at 10 Rs an acre is not justifiable and requests that the dry lands may be transferred to wet under the rule of continuous virgin and the excess assessment collected refunded

12 of (c)

The two points for consideration in this case are whether improved supply as contemplated was given to the Raya Channel in 7-1346 and whether the introduction of the new rates was notified sufficiently early to allow to ryots the liberty of raising

to Colly has been asked to
tate when the construction of
e Kukarti Cedar aqueduct
o supplementing the supply in Raya
hannel was actually
mpleted. In this case the
laintiff himself states
at there was increased supply
the Raya Channel and it
cannot hence any grievance
s to the supply. The fact that
ll the works under the scheme
d not been completed can
e urged as an argument for
aying old rates of water-cess
s for the second point the rules
r to levy water-cess were
nformed as early as 1934,
d the rules were to be enforced
fter the completion of the work
nual permits as again..
anding permits had been
sued for F 1346, All the works
nder the scheme had not
en completed and .. was
not noti, ... to give to that
he enhanced rates would be
brought into force from F. 1346.

7. 1346. In the circumstances as
notice given
the contention of the ~~plaintiff~~
that no wet crop would have
been raised if sufficient
notice had been given to
~~a good~~ plaintiff
argument though
in practice the ryot would
not have raised any ~~dry~~ crop
at all other than a wet crop

As for the request of the
plaintiff that the lands should
be transferred to wet there
does not seems to be any
objection financially as
the collr reported that the average
wet rate of the locality is
between Rs 10 to 13. If the Collr
statement is correct it is
not known why the plaintiff
wants to have his lands
transferred to wet. ~~What~~
~~to read portion~~ In the revised
forecast of the scheme in 1924
wet asst was calculated at
Rs 8 an acre on lands to be converted
to wet and in 1932 at Rs 13/-
1932 it was decided to keep

dry lands as dry as the Colls. reported that it would be a bad policy to convert the dry lands to wet and impose a higher rate on them viz Rs 13/-. The latest revenue forecast assumes ~~It is not known what the~~ that the lands will be kept as dry ~~settlement rate will be for~~ and water cess levied at Rs 10 per acre the tract. Whatever may be the ~~to~~ notice gives ~~to plaintiff~~ had no right to claim that his lands should be transferred to wet or that water cess under rules properly notified shall not be levied. For orders whether the reports still due from the Colls on the same subject may be awaited or the Guj. notice may be sent to the Govt. separately with the D's remarks. If to be sent separately, for orders as to the remarks to be offered. The court has recorded the notice of suit given on 9/8/37 The Govt has already raised no question whether the levy of water cess at Rs 10/- per acre in f. 1346 was justified. As this report on this reply has not yet been received. A report is due

the Court with regard to their name
p 11 of the notice of suit at p
33 of was referred to the Bd for
names in continuation of the no
p 11 of. It seems that a consol
part may be sent to the Court
for the Coll's further report as
parts is received.

The file may perhaps be
sent to M 2 so that he may if
necessary discuss
object with the Coll. A map
showing the Basavanna, Nanja

[illegible] is sent to be seen
above with 3 other confl.
files at Anantapur.
(So also M 2119 on the
Seasonal fr

Discussion impossible
Report awaited
Ctt 15/8

The Coll's

Joint Secy.
17 AUG 1937

M 19-21 c/f

Issued as Bd's Ref.H.843/37-2 dated 17-6-1937

M 43 c/f

Ref.H.843/37-4 d/ 28-6-37

M 51 c/f

Ref.H.843/37-5 d/ 10-7-37

M 57-61 c/f

Letter from the Collr. Ref.A2 1315/37 dated 1-10-1937.

To J.S.

Please see the Collr's letter at pp 57-58 c.f.

M 19-21 c/f

2. In the Board's Ref.H.843/37-2 dated 17-6-37 the Collr. was asked to report

(1) on the allegations made in para 5 of the petition at pp 1-5 c.f.,

2) the date of completion of the Mukarthi Odai aqueduct, and

3) on the necessity for giving any concession in the rates for fasli 1346.

(1) The Collr. reports that the allegations of non-completion or partial completion of certain works are not true.

(2) The Col orts that the Mukarthi Odai aqueduct was completed in 1935-36. Presumably the work was completed before June 36. It would not have been completed in April 36 when the Collr. submd. his report at p 11 of (B).

(5) With reference to point (3) the Collr. recommends the adoption of Rs.7-8-0 as against Rs.10 for fasli 1346 As it is reported that the rates of wet asst. under these sources except in one or two villages are between Rs.10-10 and Rs.13 and as the dry lands are on a par with the wet lands in the matter of long standing irrigation, the reduction of the rate to Rs.5 as under the C.M.P. or Rs.5-12-0 Godavaris & Kistna may not be called for as held by J.S. on p. 4 n.f. The Collr's proposal to reduce the rate to Rs.7-8-0 for a first crop however seems moderate The financial loss comes to Rs.2634. For orders whether the Collr's recommendation may be supported.

The question will then arise whether this concession should not be continued this year also. Under the C.M.P. and the Godavaris concessional rates will continue for this fasli also.

In the petition at pp 29-32 c.f. it is stated that the usual water-rate for fasli 1346 was collected during the months of January, Febry. and March and that the enhanced watercess was collected later than that. The Collr. may be

asked

asked to report whether the statt. is correct as the Collr.has not referred to it at all in his report. The report to the Govt. need not be delayed on this account.

The notice of suit at pp 25-33 c.f. and the Collr's report thereon have been dealt with at pp 5-10 n.f. Orders may also be passed on those notes.

19.10.37

Another example of lack of coordination. He does not appear to have consulted the Collr.

20/10

1015 Draft submitted

2. With reference to H.2 query at p. 12 of a statement showing the prices of principal food grains in July 35 and June 37 is put up below. The levy of Rs 10 for a single crop was confirmed in Dec. 34. As prices from June 35 alone are available the statement shows prices from July 35 only. The statement shows that the prices of paddy cholam ~~and ragi~~ have ~~definitely~~ gone down. The average price of Rs — for Hospet it shows an increase though the district and presidency averages have gone down. It is not known whether the average for Hospet is correct.

257

Joint Secy.

4-NOV 1937

D.O.No.2020-F/37-3.

Fort St. George,
30th October 1937.

My dear Muir,

Asse: r - (Bellary) - Hospet talu
Basavanna channel, Raja channel and Kamalapuram tank
Levy of water cess.

Government Memorandum No.2020-F/37-1, dated 1st May 193[illegible]
and Government Endorsement No.2020-F/37-2, dated 18th
June 1937.

I am directed to ask when the report of the Board of Revenue in the matter may be expected.

Yours sincerely,

D.I.R. Muir Esq., I.C.S.,
Joint Secretary, Board of Revenue,
Land Revenue & Settlement.

2) The following D.O reply is submitted for approval.

My Dear Muir;

Asst - Levy for water (Bellary) - Hospet Taluk - Basavanna channel, Raja channel and Kamalapuram Tank. Levy of water cess

Ref:- your D.O no 2020-F/37-2 dt 30-10-37.

I am to inform you that the report received from the collr was incomplete and that certain further information has been

called for from him on 25-10-37
the Bdy's report will be submitted
at soon as the colln's report is
received and considered.

yours sincerely

DV
6/11
Thu
9/11/37

To T.M.S. Manickam Esq I.C.S
under secy to govt Revenue

8 NOV 1937

9 Thu 8/11

Passed as Bdy's ref H 843-37-6 d 25-10-37

H 2178/37 letter from the colln of Bellary A 2. 1315-37 d 9-11-37

pp 63-64 f

p 65 f

R 2
J S (F)
(Brief)

To gs

Please see the Bdy's reference # 843-37-6 d 25-10-37 and the colln's reply thereon.

pp 63-64 f
p 65 f.

2) The colln now reports that the allegations contained in the suit notice and the petition regarding the collection of enhanced water cess after the immediate ~~cessation~~ collection of the arrears partly true. The circumstances which led to the belated collection of this charge are also explained

4. The other allegations contained in the notice of suit at pp 2-5-33 of and the collr's reports thereon have been dealt with at pp 5-10 and 11-14 ante of Orders

V are requested ~~on the notes on p 13 ante~~ pp 12-14 ante

5/11

~~7/11~~ on (1) whether the rates of water cess for fasli 1345 may be fixed @ Rs 7-8-0 per 18r crop and Rs 11-4-0 per deyasal crop instead of Rs 10-0-0 and Rs 15/- respectively and the cesses so collected refunded and whether the same rates may be recommended to be continued in year also or whether it would be held that the introduction of new rates in fasli 1345 was not correct, the introduction of the new rates not having been notified before June 1936 and that the rates should be introduced this fasli and if so the rates to be levied. Rs 10 or Rs 7-8-0 per pucca crop and corresponding rates for deyasal crops.

The collr reports deal with the agitation in the press and the notice of suit may be submitted to the Govt. Board's cover has recorded the notice of suit.

For orders.

It is [illegible] of the opinion that the view of the presiding Member of the Board that the rates are perhaps unnecessarily moderate Rs 2-6-34

pucca

V. I doubt it there is good enough case for interference

J.S's remarks p 13 ante

Which Govt may be suggested as a better place.

Joint Secy.
18 NOV 1937

pp 17-18, 53-57 ante

pp 53 ante

17/11 M2

Please see orders overleaf.

Draft submitted.

Please see the two petitions at ~67-75/f objecting to the levy of new rates and requesting refund of the difference between the old and the new rates overleaves. The petitions at 1671-75/f only a copy of the petition sent to ~~~ remonstrance for Rly. Both petitions contain no new facts at already considered by the Bd. The Bd has now held ~~at the introduction of the new~~ rates in Feb 1345 was not correct. No action is called for ~~to~~ the two petitions. They may be added to the file.

Q. 23/v

7.11
19/11
Re
2/11/37

2337/37 Letter from the Co Sec of Railway Advisory Council 37

B

see also the Co's letter at f 81/f the Bd has recommended to the Govt that the enhanced rates of excess may as a matter of grace be introduced with effect from (F 1345) its fresh adverse excess asst

already collected may be ordered to be adjusted or refunded. As their orders are awaited... the Assistant of the Hospet Taluk commences only in Jan 1938. Pending orders of the govt on the Bds reference quoted above, this may lie over till 20-12-37 and if no orders are received by that time, the Coll may be asked to collect the new rates from the Bds. A copy of the Bds proceedings may also be marked to the govt then. For orders

PV
6/12
Rm
7/12/37

To Js

It has since been ascertained from the govt that the matter is still under their consideration and that the orders are expected to be issued only after ... Xmas holidays. In these circumstances, it seems that orders may issue to the Coll as at A above.

Issued as Bulletin H 543-37-7 d 23-11-37

#109/38 Memo from the Govt Resolution No 2020-F/37-5-1 8-1-38

To Rs.

The Govt have accepted the Board's recommendation, and directed that the old rates of water cess should be levied for fasli 1346 on lands previously under irrigation from the Ponnaniyar dam, the Raya channel and the Kamalapuram tank. It learns from para 2 of the Govt memo that they will pass orders on the Board's proposal to introduce the new rates with effect from fasli 1347 only when the information called for

Issued at Bds's ref H.E.4.3 = 37-9 d 17 1/38

H.S.75/38. Letter from the Collr of Bellary A 2-13.15/37 d 24-2-38

Fo 95

Please see the Collr's letter at Fn 89-9

2) In their memorandum no 2021 37-5 d 4-1-38, the govt have accepted and directed the Bds's recommendation, that the old rate of water cess should be levied for fasli 1346 on lands previously under irrigation from the Sunnama channel, the Raya dug a Kamalapuram tank & ordered the lands eligible for concession the Collr desires to see a definition of the term 'previously under irrigation'. The term refers to the 950 acres ~~which of the land used~~ said to be under irrigation in ~~it is any one of the previous~~ Cowie's letter of 1935 - please ~~as it is eligible for the concession~~ other note on p 23 ante. ~~contemplated in the govt~~

---

the Collr states that he has had the sub collr to ascertain the new rates both for the old and newly irrigated lands in this fasli. the exact

According to the Bdg Recommendation the new rate will come into force in fasli 1347. The rate of water rate for a first irrigated crop not being a dry crop has been fixed at Rs 10 per acre and corresponding rates have been fixed for a second or a third crop and an irrigated dry crop these rates will come into force in the first year in respect of old irrigation only and concession rates as shown in rule III of the rules at p. 2 of ⓒ will apply in respect of lands to be newly brought under irrigation. ~~This may be made clear to the Coll for orders~~ The Coll's difficulty is not clear. The whole correspondence arose due to the levy of Rs 10 per acre in fasli 1346. This rate is levied in respect of ~~new~~ old. For new irrigation concessional rate ½ of Rs 10 would have been levied in fasli 1346 and there is no complaint or case of no complaint about this. The new is that the new rate Rs 10.

IV
4/3

old irrigation and the excess collected in fasli 1345 should be refunded or adjusted. Old rate can be easily defined as the 950 acres reported as under rate in the Collr's letter

para 9(M)

cargal 45/35 dt 9-10-8-35. The local officers should have a list of wet lands comprising the extent of 950 acres. The Collr's reference to confusion

para 23 g(M)

and difficulty in calculating lands eligible for concession is not understood, nor is it clear how this order

~~that new rates should be applied for old and newly irrigated lands in this fasli reduces the difficulty caused by the regarding lands previously irrigated~~

The correct position is as follows:

old rate	Rs 4 per acre per crop (standard rate)
new rate	1/4 of Rs 10 new rate or Rs 2½ per acre
old rate	Rs 10 per acre new rate
new rate	1/4 of Rs 10 new rate or Rs 2½

para 28 g(M)

Old rate will cover 950 acres reported to be the area in 1935. Any excess extent over this will be new irrigation.

The C. may be referred to the
precedents attached to his letter
D. 17.F.35. It seems to be
possible to localize this Sub
Caves with the aid of No 6
Sec^n. The idea was that the
Concessional rates Rs. to be set off
against the expense of bringing
land under cultivation for the first
time under the Chiefships
Extension Channel.

H. 12/3.

12. 14/3

ecy.
15 MAR 1933

To JP

Please see the copy of the resoluti
passed at the Ryots association
Kamalapuram Hobli Taluk Kolar
at Hh 93 - 98 of.

2) The Ryots association protest
against the levy of enhanced
rates for this fasli on lands wi
by the Basavanna Dh. Kaya Dh
and Kamalapuram Tank and
requests (i) that old rates shou
be asked to be levied and (ii)
that immediate orders may
be issued to the collr not to
collect the enhanced rates for the
fasli. that the rates for remissions are
In Nov last, the Bd recom
mended to the govt that the re
(enhanced) rates of water rates
under the three sources mentio
above should be introduced for
this fasli as a matter of grace
and the govt also have a right

is older and no intervention seems called for on behalf of the Dept. Copies of the resolutions have gone to the Govt. and the Collr. No action is necessary on the copy sent to the Bd. It may be added to the file

PV 4/5 — Resolutions (2) — pp 97-98 cf

deals with a new point. The contention is that waters flowing in a main channel near the charged at the rates applicable to the water in the Basavanna Raja Canals etc and that this is due to some wrong entry in the digest register. Perhaps the Collr may be asked to report on this point, when sending his reply to the Govt's letter dt 07-12-1938 for orders

Yet to issue

p 82 cf

Rec 4/7/38

To Hs (sett)

Draft submitted

PV 6/5 — Rec 7/7/38

HOD 7/5/38

p 99 cf

[Issued as Board's rey/11 843/37-11 8

To J.S.

Please see the Govt. memo at p.1

Draft submitted. //

hsr
11.5.38
Th 5.38

D.O.No.2020 F/37-8.

Revenue Secretary's Office,
Fort St. George,
Dated the 8th July 1938.

My dear Muir,

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Roya channels and the Kamalapuram tank - Levy of increased water-cess.

1854 Government Memorandum No.2020 F/37-5, dated 8th January 1938.

I am to ask when a reply to the Government Memorandum quoted above may be expected.

Yours sincerely,

H Hani
8/7

To

D.I.R.Muir Esq., I.C.S.,

Joint Secretary, Board of Revenue.

P.R.N.
by

To J.S.

Please see the D.O. above. The Coln reports that the matter is pending with the R.D.O. The following D.O. reply is

for favourable approval.

D 369
14.7.38

My dear Maqui,

Assessment - Charge for water (Bellary) Hospet Taluk, Basavanna and Raya channels and the Hemalapura Tank - Levying increased water cess.

p 28 NP

Ref: Govt. O.o No. 2020 F/37-8-8/8.7.

I am to inform you that the Collr's report on the subject has not yet been received. In reply to an enquiry he has stated that the matter is pending the G. O. the Board's report will be submitted as soon as the Collr's report is received and considered.

Yours sincerely

13/7

Maqui Esq., I.C.S.,
Asst. Secy. to Govt. R.D.

6.100

13.7

RECEIVED
14 JUL 1938

14.7.38

11.7.38

50580
12.9.38

D.O.No.2020 F/37-9.

Revenue Secretary's Office,
Fort St. George,
Dated the 8th September 1938.

My dear Muir,

Assessment - Charge for water - (Bellary) - Hospet taluk - Basavanna and Roya channels and the Kamalapuram tank - Levy of increased water-cess.

Your demi-official No.369, dated 14th July 1938.

I am to ask whether the report of the Collector has been received, and if so when the Board's reply to the Government Memorandum No.2020 F/37-5, dated 8th January 1938 may be expected.

Yours sincerely,

8/9

To

D.I.R. Muir Esq., I.C.S.,

Joint Secretary, Board of Revenue.

P.R.N.

D.O no. 531
14.9.38

Having D.O reply is submitted for approval.

Dear Mr.

Assessment - Charge for water (Bellary) - Hospet Taluk. Basavanna & Roya channels and the Kamalapuram Tank - Levy of increased water cess.

Ref:- your D.O no 2020 F/37-9 d 8-9-38

I am to inform you that the report on the subject is not yet been received. In reply to our exchange reminder dated 11.9.38 it is stated that the

matter is pending with the R.D.O. and that he will submit his report on receipt of his reply. The Bd's report will be submitted as soon as the coll's reply is received and considered.

Issued as Bd's ref H 843-37-11 d 7-5-38

H 2291/38. Letter from the coll of Bellary D Dis 1815/38 d 19-9-38

To AS

Please see the Bd's reference H 843-37-11 d 7-5-38 and the coll's reply above. The coll has not however submitted his reply to the Bd's ref H 843-37-9 d 17-1-38 and may be asked to furnish the information called for

~~Draft to be made~~

The costs present report will be dealt with on receipt of the information referred to overleaf.

Draft submitted

V
-9/9

hos
30/9/38

Issued as Bdis mp H 643.37-9 d 17-1-3

Issued as Bdis mp H 643.37-11 d 7-5-3

H 2-91/38 Letter from the collr of Bellary D Dis 1815 d 19.9.38

H 2-57/38 Letter from the collr of Bellary D Dis 1315 d 17-10-38

In correspondence read above relative to the grant of water rights to land irrigated from Basavanna Kalva, Baya Kalva & Kamalapuram tanks the Basavanna Kalva scheme was

lame is expected to irrigate
50 acres of dry lands for the
first time and to secure enhanced
supply to 950 acres of dry lands
ready under irrigation. The rate
for water was likely to be fixed
at Rs 10 per acre. This rate will
come into force in the first
year in respect of old irrigation
and occasional lands as shown
above will apply in respect of
lands to be newly brought under
irrigation. _____

: of Rs 10 for the first two years
: of Rs 10 for the third year
14 of Rs 10 for the fourth year
5 10 for the fifth year.

the owners of dry lands previously
under irrigation in lieu of filling
of the deficit Tank addressed
to GoI in 1937 and objected to
the levy of enhanced rates in Fasli
346. The grounds of their objection
are set forth at p 2 of the Inquiry
examined their contentions and
observed that it was not material
to the rights that the enhanced

para from fasli 1346 before coll
lion began in June 1936. It
Tenders recommended that the
new rate may as a matter of
grace be introduced from this
fasli 1347 and the excess asst already
collected might be ordered to be
adjusted or refunded. In their
memorandum no 2020 F 37-5 d. 1
the govt accepted the Bds recom
mendation and directed that
the old rate of water ass shou
be levied for fasli 1346. At
the same time, they have calle
for certain particulars regard
the lands under the B. channe
Ind. Royal Ind and Kamal ch
tanks objectively to see whet
any remission is called for
in the matter of levying thes
in fasli 1347 and thereafter.
Pending receipt of the infor
called for, the govt Subsequen
directed the collr to collect wate
ass at the old rate for fasli
1347 also in respect of the lands
previously under irrigation.
The collr has now furnished

a statement called for by
port. It may be submitted
them, there is no date to check the p
unless furnished by the party.
) There is one other point in the
ile on which orders are requ
May have a copy of the reso
ion passed at the Ayodhya Asso
ion Kamalapuram was sen
the Bd. The Ayodhya associat
protested against (1) the levy of
charged water use for fusli
e lands irrigated by the Sa
-canal Bd. Raya Bd and re
-spondents Each. They also pr
ted against (2) the levy of wa
charged water use on land
irrigated by Municipal Com
copy of the resolution mad
ed to the report. The Govt
ment already sanctioned the
irst request. Vide memo dt
.01.97. No report has been
alled for from the Bd in
espect of the second request
he Bd has however asked
e Govt to defer this item o
the request of the report.
he Govt has since submitte

this report and it is at Hr 107-101

A rough sketch showing the Municipal Vanka and the adjacent irrigation wards is at (A).

The E.E says that as the Vanka is a drainage that formed from the drainage waters of the ayacut under H. Raya channel, it is not an independent source by itself and that it is a supplemental source depending entirely on the Raya channel for its supply and as such the enhanced rates according to $q_0 = 2.592$ Rupees $13\frac{1}{3}$ are applicable to the lands under the Municipal Vanka also. The collr also supported the learned counsel with the E.E that the enhanced rate of water cess should be charged. As the Vanka in question is only a supplemental source depending entirely on the Raya channel for its supply, it seems that the rates prescribed for the lands under the Raya channel and others will apply to the lands under the Municipal

Vaucha. For orders whether the
matter may be asked to inform
the secy of the Sports Association
accordingly. No report is due
to the govt on this point.

PV
24/10
31.X.38

Joint Secy.
10 NOV 1933

Please put
up.

Issued as Instn no. H 843-37-15 dt:
H 652/39. Letter forwarded copy of
Railway Rly 4704/39 dt 25

To do

Draft submitted

PV
3/5
4/3

4/5/39

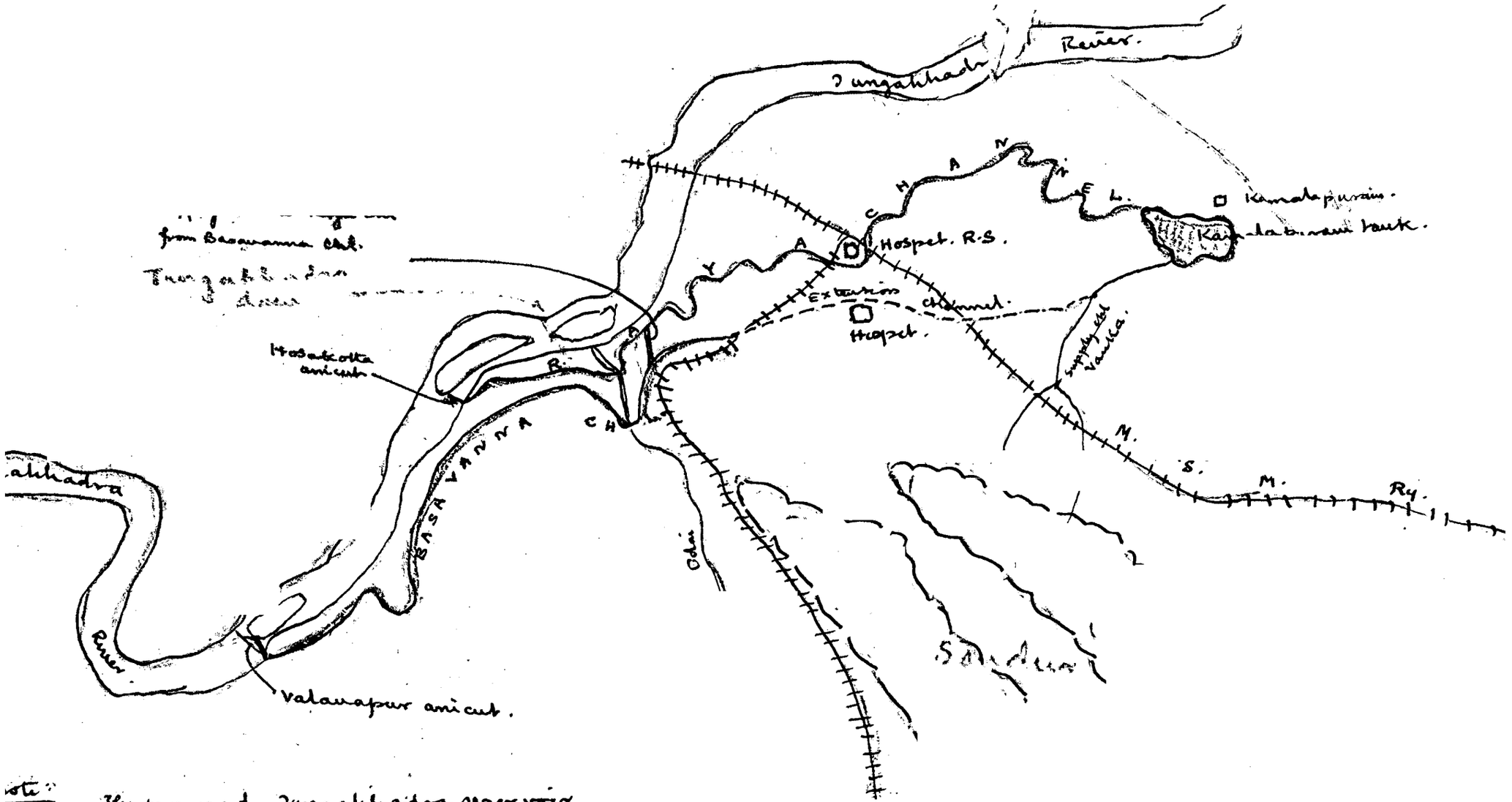
BJ's Office H. 843-37-1696.3.35.
H.1711. Part memo no 2027 F/37-11 of
7-7-35.

Please see the part memo
at p 128 of. It may be communi
cated some other.

Draft submitted

11/7
11/7

12.7.39



Note: The proposed Tungabhadra reservoir will submerge the Valavapur and Hosakotta anicuts. Both the Basavanna and the Raya channels have to be fed from the Tungabhadra main canal.

J.P. No. M 1538
Dated 13-7-38

Single Member
Two Members.
~~Full Board.~~

I-A | A.D.S. & L.R. | Asst. Secretary. Land Sett. Rev. | Sep. Rev. | J.S. Secy.

(1) Open file seen by

(2) Final draft seen by

(3) Now circulated to

(4) Initials

Passed for record.

~~Secretary.~~
Joint Secretary

J.S. (C.W.)
A. S.(L.R.)
A.S. (Sett.)
A.S. (Excise)
A.D.S. & L.R.
I-A.

Note:- Entries not required to be scored out.